

EXHIBIT B

Warehouse Truck Trip Study Data Results and Usage

Mobile Source Committee
July 25, 2014



Cleaning the Air That We Breathe...

Background

- Purpose: To provide guidance on how to quantify warehouse truck emissions for CEQA air quality analyses
 - Technical guidance
 - Establish “substantial evidence” for assumptions
 - Consistency for SCAQMD staff comments
- Truck emissions >90% of air impact
- Tenant often unknown when CEQA document certified

Existing Trip Rates

Grouping	Overall Rate (trips/tsf)		Truck Rate (trips/tsf)	
	Average Rate	Rate with Peaking Factor*	Average Rate	Rate with Peaking Factor*
<i>Current ITE</i>	1.68		0.64	
<i>Majority of CEQA docs*</i>	1.68		0.34	
<i>CalEEMod Guidance</i>		2.59		1.04

Calculated truck trip rate based on Fontana Truck Trip Study (4 warehouses)

* 11 out of 18 CEQA docs in past year use 0.34 truck rate

Truck Trip Study Process Overview

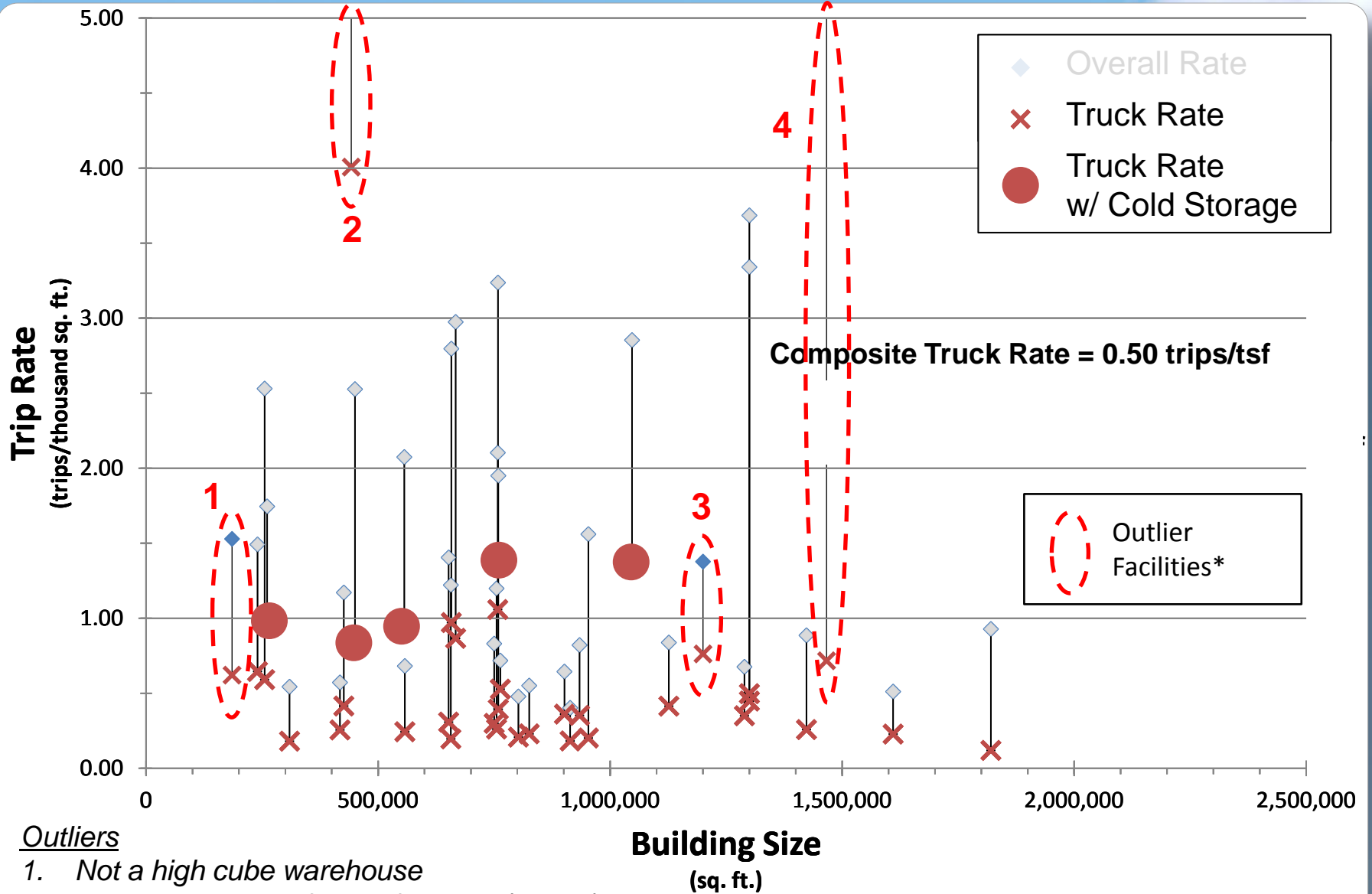
- Study began in January 2012
- 12 Stakeholder Working Group meetings
- 2 Technical Working Group meetings
- 34 responses to Business Survey*
- Video truck counts using traffic engineer at 33 warehouses**
- UCR traffic engineer and statistician analyzed results

* 400 Business Surveys sent out. 63 warehouses responded. 34 of the 63 warehouses met definition of “high cube warehouse”

** 37 total video counts. 4 excluded because either an outlier or did not meet definition of “high cube warehouse”

Analysis of Data

- Removed outlier data
 - E-commerce and parcel warehouses substantially higher overall trip rate
- Verified only “high cube warehouses” > 200,000 square feet
- Averaged data
 - Overall trip rate per 1,000 sq feet
 - Truck trip rate per 1,000 sq feet
- Three categories:
 - Non-cold storage warehouses
 - Cold storage warehouses
 - Composite for warehouses



Outliers

1. Not a high cube warehouse
2. Uncharacteristic of other facilities (parcel)
3. Trucks use local street for internal circulation
4. Uncharacteristic of other facilities (e-commerce)

SCAQMD Warehouse Truck Trip Study Findings^{1,2}

Grouping	Overall Rate (trips/tsf)		Truck Rate (trips/tsf)	
	Average Rate	Rate with Peaking Factor ³	Average Rate	Rate with Peaking Factor ³
<i>With Cold Storage</i>	2.49	2.99	1.10	1.32
<i>Non-Cold Storage</i>	1.34	1.78	0.40	0.53
<i>Composite</i>	1.51	1.98	0.50	0.66

¹ Peaking Factor applied only to averaging periods \leq one day

² Outlier data removed

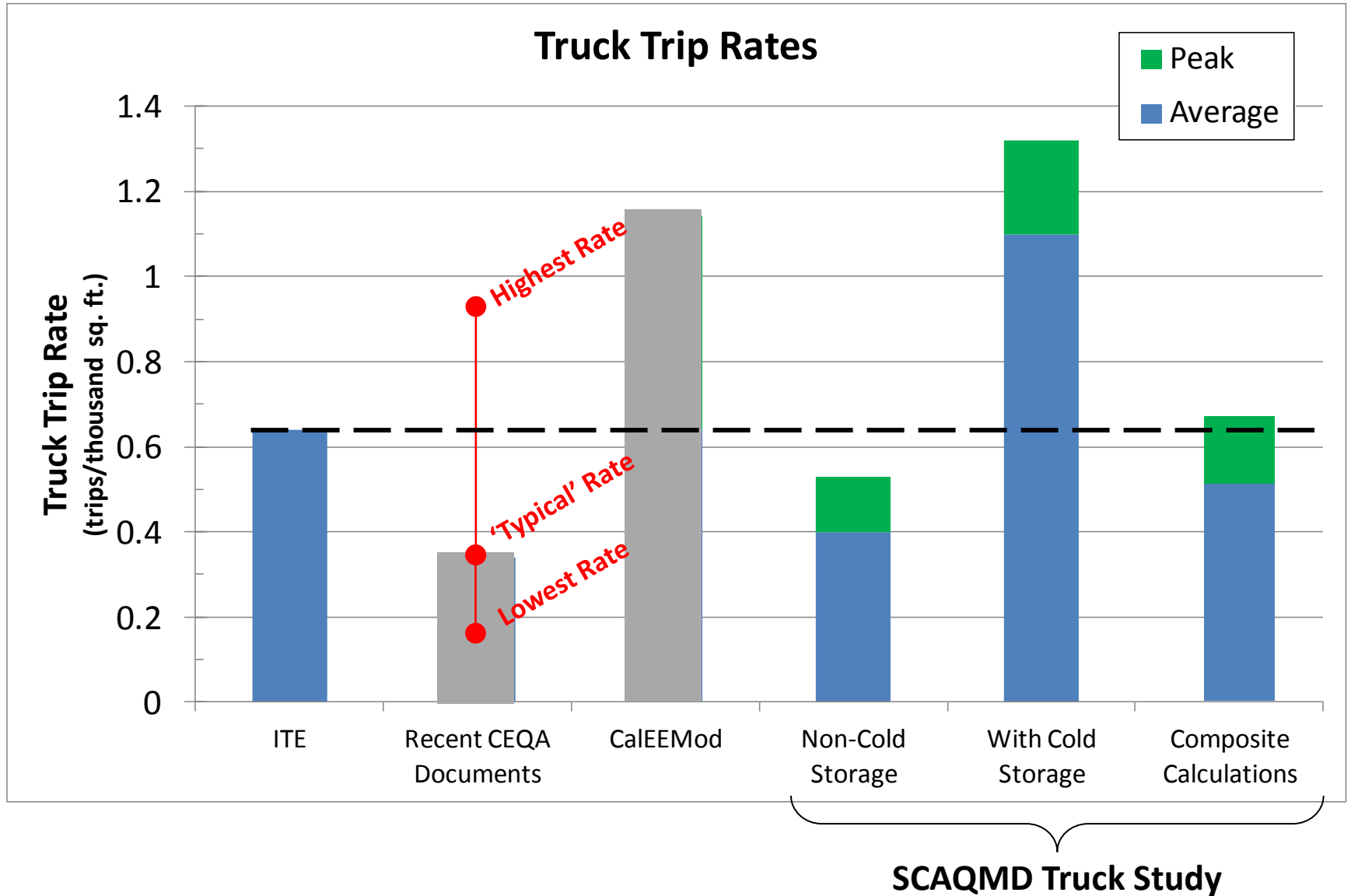
³ Peaking Factor from Business Survey

Cold Storage (14)	Non-Cold Storage (16)
20%	33%

Business Position/ Recommendation

- Use current edition ITE truck trip rate as default
 - ITE higher than SCAQMD non-cold storage truck rate w/peak: 0.64 vs 0.53 trips/tsf
 - ITE similar to SCAQMD composite truck rate w/peak: 0.64 vs 0.66 trips/tsf
 - ITE captures “peak” daily
 - ITE has established procedures to update trip rates
 - Lead agencies can use site specific data

Truck Trip Rate Comparison



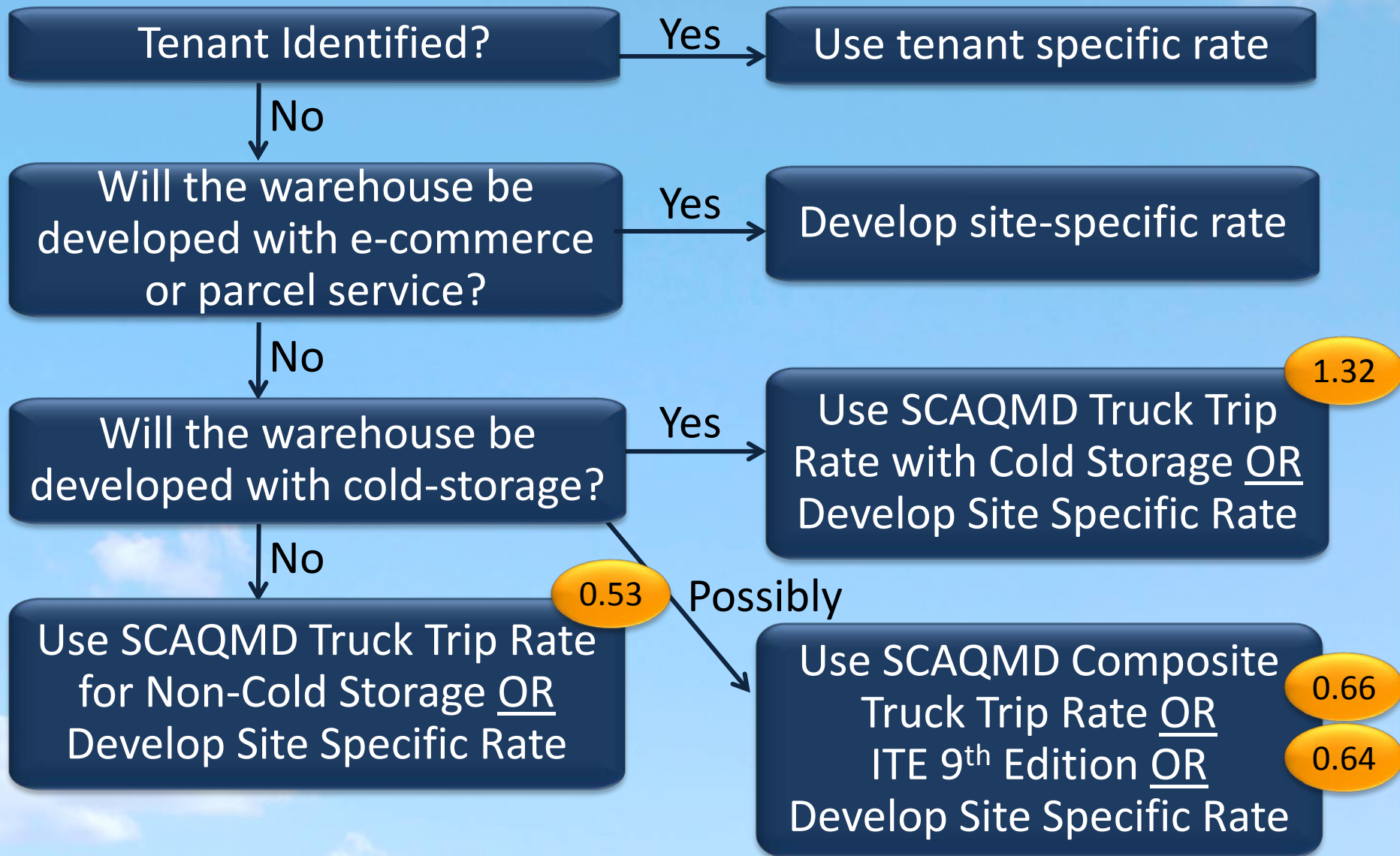
Staff Response

- Can support use of ITE truck trip rate as current default
- SCAQMD Study results with peaking factor are not inconsistent with ITE
- Fontana Truck Trip Study limited applicability
 - Overall trip rate based on 4 warehouses – includes 2 warehouses with zeros
 - No 24-hour truck trip rates reported
 - Truck trip rates using Fontana study are calculated based on 20% truck fleet mix
 - Fontana Study, by itself, is not characteristic of high cube warehouses

Staff Recommendations

- Implement staff interim recommendation
 - Use ITE default values until Governing Board action
 - Reflected in monthly IGR Board letter, NOP comment letter, and CalEEMod users noticed
- Option 1:
 - Continue staff interim recommendation
 - Supplement study by collecting more information on cold storage and peaking rates
- Option 2: See flow chart

Staff Recommendation - Option 2





Staff Recommendations (Continued)

- Submit SCAQMD Truck Trip Study results to ITE
- Recommend ITE separate “Cold Storage High Cube Warehouse”
- Recommend ITE evaluate e-commerce type warehouses
- Biannually collect additional trip count data from warehouses
- Develop updated emission mitigation menu e.g., WRCOG “Good Neighbor” Guidelines

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Comment Letter 38 – Gabrielle Watson



City of Riverside
Planning Division
Attn: Patricia Brenes
3900 Main Street
Riverside, CA 92522

Response to Public Notice

Any information submitted on this form is public record and can be viewed by any member of the public upon request.

Please note that public comment for this project closes at the Public Meeting on Error! Reference source not found.

Please enter any comments you may have about this proposal below. (Please print or type all information):

COMMENTS: *Having received the "notice of public hearing" I wish to make comments re: Sycamore Canyon Business Park. We live on the street (Cannich) behind where this warehouse project is to be located. We have been here 16 yrs. We already hear "beep-beep" noises from Big 5 warehouse and other slamming noises etc. a little further away. (on Sycamore Canyon Blvd.) We are consistently experiencing heavy "big rig" traffic etc. The fact that your Dept (Planning) states "all significant effects of this project have been reduced to less than significant EXCEPT with the exception of air quality and noise" appears to me extremely short sighted. MORE noise and air pollution in our neighborhood is a huge issue. As an example - on Danklipper Dr. (warehouse add) there is already a warehouse (new) immediately behind 4 story homes on Starkdale. When these homeowners look out their small backyards and their 2nd story they stare at a huge grey wall! 12 homeowners on Satherland will have same view!*

Contact Phone Number (Optional): (951) 784 3095

Contact Email (Optional): jwatusa@yahoo.com

38-A
38-B
38-C
38-D

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Response to Comment Letter 38 – Gabrielle Watson

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 38-A:

The comment regarding existing noise from the warehouses are noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes that included analysis of potential noise impacts. The existence of these warehouses is addressed in the proposed Project’s environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

As part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA), ambient noise at two locations on the Project site was monitored for a period of 24 hours. The results of this monitoring is reported in DEIR **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, these ambient noise measurements included noise from existing adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) The results of this monitoring is reported in Draft Environmental Impact Report (DEIR) **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, noise sources included noise from adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) Ambient noise measurements were taken to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. Ambient noise measurements were not taken for purposes of determining whether existing operations in the Project area are in violation of the City’s Noise Ordinance or applicable standards.

The NIA also quantified potential noise impacts associated with construction and operation of the proposed Buildings 1 and 2. (DEIR Appendix I)

Construction noise of up to 80 dBA L_{eq} at the westerly property line will exceed the City’s daytime exterior standard for residential property of 55 dBA L_{eq} and the standard for public

recreational facilities of 65 dBA L_{eq} . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) It should be noted that on August 18, 2016, the City of Riverside City Council adopted Ordinance 7341 amending the City’s Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

MM NOI 1: To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site’s northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

MM NOI 2: To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

MM NOI 3: During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

MM NOI 4: All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

MM NOI 5: All construction equipment shall be shut off and not left to idle when not in use.

MM NOI 6: All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

MM NOI 7: The use of amplified music or sound is prohibited on the Project site during construction.

MM NOI 8: Haul truck deliveries shall be limited to the same hours specified for construction equipment.

MM NOI 9: It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

MM NOI 10: Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

MM NOI 11: For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

MM NOI 12: No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA L_{eq} at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

MM NOI 13: To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system.

MM NOI 14: To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

MM NOI 15: A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation.**

MM AQ 14: Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA L_{eq} . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation.**)

MM NOI 16: Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the

anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the property owners will permit the noise barrier wall per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 38-B:

The commenter's observation regarding truck traffic is noted; however, these existing trucks are not related to the proposed Project.

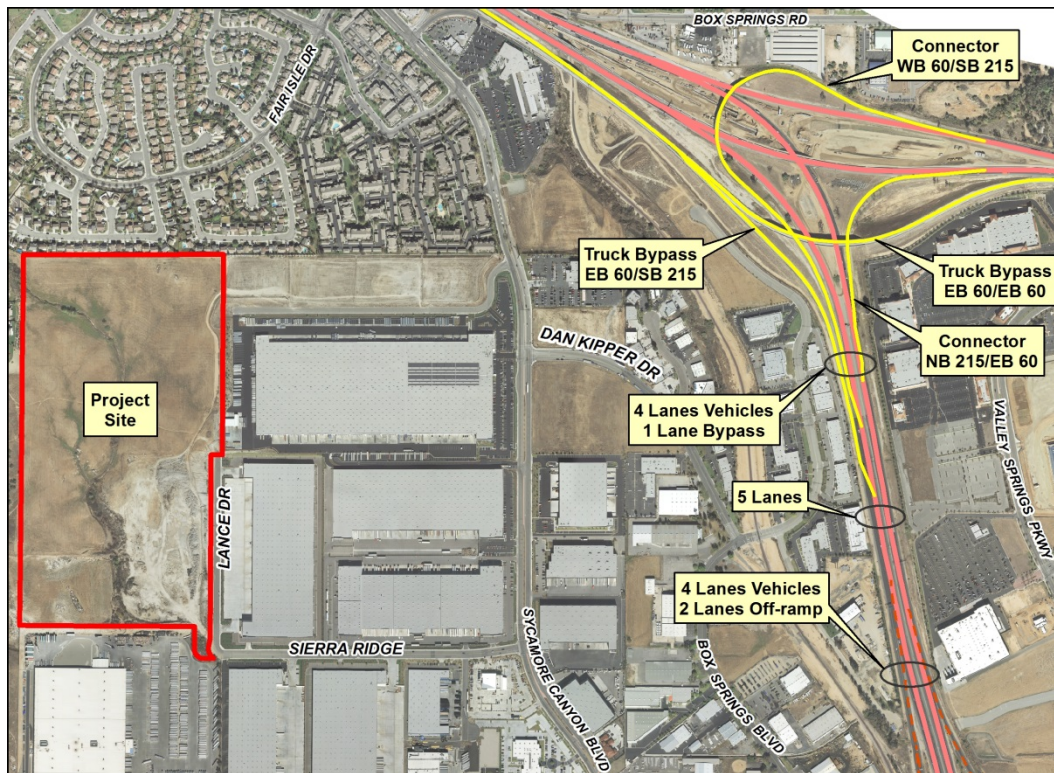
The *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 and 2* (the TIA) indicates that approximately 95 percent of the trucks traveling to and from the Project site are anticipated to utilize the Eucalyptus Avenue exit from Interstate 215 (I-215), without travelling on Lochmoor Drive. (See DEIR **Figures 5.16-5 – Project Trip Distribution (Trucks – Outbound)**, and **5.16-6 – Project Trip Distribution (Trucks – Inbound)**). It should be noted that Municipal Code Chapter 10.56 restricts truck over 10,000 pounds from using Lochmoor Drive.

The correspondence regarding the freeway segments to be studied is found on pages 13 and 14 of Appendix A of the TIA (which is Appendix J of the DEIR). The correspondence consists of e-mails between Caltrans (Mark Roberts) and the TIA preparer, Albert A. Webb Associates (Grace Cheng). A copy of this correspondence is included as Attachment 38.1 on the pages following these responses to comments.

With regard to the I-215 SB Eastridge-Eucalyptus Avenue Off-Ramp, due to the nature of the geometry, the off-ramp is considered as a weaving segment¹ with the existing truck ramp at the State Route (SR) 60/I-215 Interchange. The weaving segment is created when the southbound truck bypass lane at the SR 60/I-215 Interchange joins the four lane SB I-215 mainline resulting in the addition of a fifth lane (4 lanes mainline plus 1 lane bypass). The I-215

¹ A weaving segment is a merge segment (on-ramp) that is closely followed by a diverge segment (off-ramp) and the two are connected by a continuous auxiliary lane. (DEIR, p. 5.16-6.)

SB Eastridge-Eucalyptus Avenue Off-Ramp is a two lane off-ramp and a four lane mainline continuing south as shown below.



With regard to the I-215 Northbound Fair Isle Drive-Box Spring Road Off-Ramp, the ramp is not included in the TIA because the City and the TIA preparer determined no inbound or outbound Project traffic would use this off-ramp based on the geographical location of the site, the type of land uses in the study area, access and proximity to the regional freeway system, existing roadway system, existing traffic patterns, and existing and future land uses. Given the proximity of Sycamore Canyon Boulevard and Sierra Ridge Drive to the Eastridge-Eucalyptus Avenue/I-215 Interchange, it is a reasonable assumption that vehicles, trucks in particular, would utilize this freeway ramp rather than the Fair Isle Drive-Box Springs Road/I-215 interchange. (See **DEIR Figure 5.16-4 – Project Trip Distribution (Passenger Cars - Inbound)** and **DEIR Figure 5.16-6 – Project Trip Distribution (Trucks - Inbound)**.)

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all

three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 38-C:

Implementation of the proposed Project would have significant and unavoidable impacts related to air pollution, noise, and transportation-traffic (DEIR, p. 8-2).

As discussed in detail throughout Section 5.0 – Environmental Impact Analysis of the DEIR, the proposed Project will result in Project-specific or cumulatively significant unavoidable impacts to air quality (operations), noise (construction and operation), as well as transportation and traffic. (DEIR, pp. 1-21–1-28, 1-44–1-49, 1-51, 1-56–1-57, 5.3-30-5.3-31, 5.3-35, 5.3-40, 5.12-24, 5.12-28, 5.12-34, 5.12-44, 5.12-48, 5.16-35, 5.16-48, 5.16-52, 5.16-53, 5.16-57, 6-10, 6-19.) Thus, a Statement of Overriding Considerations, as allowed by State CEQA Guidelines Section 15093, will be required should the City choose to approve the Project. (DEIR, pp. 1-21–1-28, 1-44–1-49, 5.3-30–5.3-31, 5.3-40)

Specifically, the DEIR discloses that the Project will have significant unavoidable impacts with regards to:

Air Quality: NO_x (oxides of nitrogen) emissions of 325.95 lbs/day (summer) and 339.39 lbs/day (winter) during Project operation will exceed the South Coast Air Quality Management District (SCAQMD) threshold of 55 lbs/day. (DEIR, p. 5.3-26.)

Noise: Construction noise of up to 80 dBA L_{eq} at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA L_{eq} and the standard for public recreational facilities of 65 dBA L_{eq}. (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. . It should be noted that on August 18, 2016, the City of Riverside City Council adopted Ordinance 7341 amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on

weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

Operational noise levels of up 52 dBA L_{eq} (without mitigation) will exceed the City's nighttime exterior standard for residential property of 45 dBA L_{eq} for two sensitive receptors located west of the Project site. (DEIR, pp. 5.12-28, 5.12-34.) See [Response to Comment 38-A](#) for a discussion regarding noise impacts

Transportation/Traffic: Project traffic will contribute to an exceedance of level of service (LOS) at the following intersections:

- I-215 Northbound off-ramp at Eastridge Avenue-Eucalyptus Avenue during the PM peak hour for the Existing plus Ambient Growth plus Project condition. (DEIR, pp. 5.16-45– 5.16-47.)
- I-215 Northbound on-ramp at Fair Isle Drive-Box Springs Road during the AM and PM Peak hours for the Existing plus Ambient Growth plus Cumulative Development plus Project condition (Cumulative).

It is worth noting that the LOS will be exceeded at these ramps as a result of ambient growth and cumulative development, i.e., without the Project. (DEIR, pp. 5.16-45– 5.16-47.)

Since the DEIR discloses the Project's significant and unavoidable impacts and a Statement of Overriding Considerations will be required should the City choose to approve the Project, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 38-D:

The commenter's opinion regarding the CT Sycamore Center Project is noted. However, the approval of that project is not the subject of the DEIR. The proposed Project has been revised, in part due to the CT Sycamore Center Project (which is setback 50 feet with a landscape buffer totaling 24 feet from the northern property line), to provide a 100-foot building setback from the adjacent residences to the north which that is twice the setback distance from the CT Project.

The proposed Project has been revised by the Project applicant so that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site. This 100-foot setback is comprised of 64 feet of landscaping between the northern property line of Parcel 2 and a 30-foot wide drive isle north of Building 2, and an additional 6-foot wide landscape area between the drive aisle and the building. (DEIR, p. 3-35)

With regard to the aesthetic impacts of the Project, building walls that face the residences will be articulated with pockets of light and shadow to break up the long expanse of wall as required by mitigation measure **MM AES 9** (as proposed to be revised in the DEIR as shown below) and the Project's landscape plan has been designed to provide visual appeal,

functionality, and a buffer around the Project site as well as between the proposed buildings. (DEIR, pp. 5.1-7 – 5.1-9.)

MM AES 9: To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1 (excluding windows). The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Attachment 38.1: Email correspondence between WEBB Associates and Caltrans

From: Grace Cheng
Sent: Friday, July 10, 2015 11:25 AM
To: 'Roberts, Mark B@DOT'
Subject: RE: Acceptable Levels of Service at I-215 Freeway Ramps - City of Riverside

Hi Mark,

Thanks for the quick reply. We will include the merge/diverge analysis for Box Springs & Eucalyptus. The project won't be sending any trips to Alessandro so that ramp wouldn't need to be included in the analysis. For the ambient growth rate, we'll take a look at the RivTAM model which is based on the SCAG model, since that is what the Riverside County uses for their modelling. I'll get back to you on what that turns out to be. Thanks.



Grace Lin Cheng, MS | MCP | PE - Associate Engineer
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[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [YouTube](#)

From: Roberts, Mark B@DOT [<mailto:mark.roberts@dot.ca.gov>]
Sent: Thursday, July 09, 2015 9:28 AM
To: Grace Cheng
Subject: RE: Acceptable Levels of Service at I-215 Freeway Ramps - City of Riverside

Hello

I concur with the intersections to be studied.

Our Traffic Operations Division will also likely ask for a merge/diverge analysis for the affected Freeway ramps (Box Springs, Eucalyptus and Allesandro).

Related to the use of 2% growth rate assumption I'd prefer you use the 2012 SCAG RTP Model or other model based on the SCAG Model (if 2% is what you derive from the SCAG Model) then I concur as well.

Caltrans
District 8 (San Bernardino and Riverside Counties)
Mark Roberts
Office of Intergovernmental Review, Community and Regional Planning
Senior Transportation Planner, AICP
464 West 4th Street, 6th Floor, MS 725
San Bernardino, CA 92401-1400

(909) 383-4557

From: Grace Cheng [<mailto:grace.cheng@webbassociates.com>]
Sent: Wednesday, July 08, 2015 11:54 AM
To: Roberts, Mark B@DOT
Subject: Acceptable Levels of Service at I-215 Freeway Ramps - City of Riverside

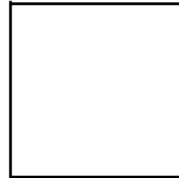
Hi Mark,

Attached is a preliminary scoping agreement for a proposed project in the City of Riverside, located in the Sycamore Canyon Business Park area. As a part of the traffic study, we will be studying the I-215 freeway ramps at Fair Isle/Box Springs and Eucalyptus. Please review the scoping agreement and provide any comments you may have. Would these intersections be evaluated under a required level of service of D?
Thanks.



Grace Lin Cheng, MS | MCP | PE - Associate Engineer
Albert A. Webb Associates
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[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [YouTube](#)

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Comment Letter 39 – Mark Newhall

39

Date: 10-25-16

Item No.: 3

From: Mark Newhall (<mailto:Lnewhall30@charter.net>)
Sent: Monday, October 24, 2016 10:01 PM
To: Morton, Sherry <SMorton@riversideca.gov>
Cc: sycamorehighlands@yahoo.com
Subject: [External] Comment for City Council Meeting on October 25

Comment for City Council Meeting on October 25

Agenda Item: Good Neighbor Guidelines – Warehouse Development

Please provide include my comments below to each City Council member, to the Mayor, to the City Manager, to the Planning Department, and to the Planning Commission.

39-A

When I moved back to Riverside as an adult in 2001, there was a Good Neighbor policy in place. That was something we felt good about, knowing that there was an empty field in our back yard. Light industrial (who knew about mega warehouses back then?!) could mean offices and small buildings below us on 17 small parcels of land, a minimum of 1000 feet away from us. That was doable.

39-B

Since then, the Good Neighbor policy was eliminated (2006), Big 5 moved in (2008), and CT Realty snuck in an abomination of a warehouse(2016)!

The noise generated from the now existing warehouses, which are more than 1000 feet from us, is an incredible nuisance. The constant beeping of back up warnings on trucks, the honking of horns to wake up those watching or not watching the gates in the middle of the night, and the reverberating thud of materials being dropped, all 24 hours a day/seven days a week, is unbearable. No longer can we keep the windows open at night if we want to sleep. Even with the double paned windows, the noise can still be heard.

39-C

We recently received the Notice of Public Hearing below that states "All significant effects of the proposed project have been reduced to less than significant with implementation of the mitigation with the exception of impacts to air quality, noise, and traffic.

39-D

ENVIRONMENTAL DETERMINATION

The City of Riverside has prepared a Draft Environmental Impact Report for the project identified above. All significant effects of the proposed project have been reduced to less than significant with implementation of mitigation with the exception of impacts to air quality, noise, and traffic.



CITY PLANNING COMMISSION, Art Pick Council Chamber
Floor City Hall, 3900 Main Street, Riverside, CA 92522
MEETING DATE: November 3, 2016

REVIEW SCHEDULE:

Interested parties may contact the Contact Planner between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The Draft EIR and case file are available for inspection in the Planning Division of the

Now there is a proposal on the board for an additional set of warehouses to be built by Magnon Company. If those go through, I can't begin to imagine the noise as those buildings will be a mere 30 to 100 feet from my back yard. With the amphitheater affect, since they will be right below our home, all of that noise will only be intensified.

Really!!? Those are the most impactful problems to the nearby residents in Sycamore Highlands. We do not want the pollution, noise, or traffic.

How is Riverside being a "Good Neighbor" by letting this happen? Have you seen what CT Realty did to our neighbors on Southerland Dr.? Who would want this atrocity 30 feet from their back yard?

39-E



Help us understand how this is right. The State Air Control Board recommends a 1000 foot buffer between commercial and residential properties, to lessen the affect of noise and pollution. The complete lack of disregard from the city with their watered down or totally disregarded Good Neighbor policy makes me sad. Riverside claims to have a Smart Growth plan in place, but how does development such as this "maintain and enhance the value of existing neighborhoods"? (from US EPA Smart Growth Network link from Riverside Planning Dept. webpage: <https://www.riversideca.gov/planning/cityplans.asp>)

39-F

We ask that you consider protecting our neighborhoods that are already developed. Mandate and bring back the reasonable buffer of 1000 feet between residential and warehouse developments. Put in place height restrictions matching the residential requirements for buildings within 100 feet of residential property lines.

39-G

Step up and be the "Good Neighbor" that Riverside claims to be.

Lisa,Mark, Jacqueline, and Rachael Newhall
6040 Cannich Road

cc: Mayor
City Council
City Manager
City Attorney
ACMs
C&ED Director

Response to Comment Letter 39 – Mark Newhall

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2016, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 39-A:

This comment will be added to the official record of the Project, which will be provided to each City Council member, to the Mayor, to the City Manager, to the Planning Department, and to the Planning Commission. The public will have an opportunity to comment on the merits of the Project itself at a Planning Commission hearing and at a City Council hearing. Notice of the Planning Commission and City Council hearings on this Project will be published at least 10 days prior to the hearing date in accordance with relevant provisions of the Government Code. The agenda for Planning Commission and City Council hearings can be found at: <http://riversideca.legistar.com/Calendar.aspx>. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 39-B:

The comments regarding existing noise from the warehouses are noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes. The existence of these warehouses is addressed in the proposed Project’s environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

Good Neighbor Guidelines: The commenter’s assertion that the City eliminated the Good Neighbor Guidelines is incorrect; rather, this policy was adopted by the City in 2008. The City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City’s *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72.) Because each Project and property have different characteristics and circumstances, the City’s *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution

center buildings and adjacent residential uses. Rather, it recommends that a Health Risk Assessment (HRA) be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. The site has been designed in order to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's *Good Neighbor Guidelines*.

Since residences will be located within 1,000 feet from the proposed Project, a Screening HRA was prepared in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 (included as Attachment A.1 to the FEIR) to evaluate cancer and non-cancer risks associated with the proposed Project. The Refined November HRA was prepared in response to comments received from SCAQMD on the DEIR regarding the June Screening HRA, and is consistent with the requested SCAQMD guidance and methodology. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the "New Modeling"). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR). In the June Screening HRA, the November Refined HRA, and the New Modeling, none of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for either workers or residents within the Project site and vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

Land Use: The Project requires approval of Tentative Parcel Map No. 36879 to combine 17 existing parcels into two parcels and three lettered lots. (DEIR, **Figure 3-8.**) Additionally, a Minor Conditional Use Permit (MCUP) is required to allow for warehouses greater than 400,000 square feet pursuant to City of Riverside Municipal Code, Title 19, Zoning Code, Chapter 19.150, Base Zones Permitted Land Uses.

The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City's *Sycamore Canyon Business Park Specific Plan* (SCBPSP), which was adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14.) The proposed Project is consistent with both the GP 2025 and SCBPSP and would not be in conflict with these plans.

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 39-C:

Ambient noise measurements were taken at two locations within the Project site to quantify the existing noise environment at the Project site and its vicinity. (DEIR, **Figure 5.12-1.**) Short-term measurements were taken twice at Location 1 to quantify noise conditions both during active construction of the CT Realty Sycamore Center Project east of the Project site and north of Dan Kipper Drive and while construction was inactive (DEIR, **Table 5.12-B – Existing Noise Levels in Project Vicinity**). During the monitoring period, none of the short-term L_{eq} noise measurements taken at either location exceeded the daytime noise standard of 55 dBA for residential property, except for the measurement taken at Location 1 during active construction of the CT Realty Project. For the long-term measurement taken at Location1, the daytime residential noise standard of 55 dBA was exceeded at 8:00 AM, 10:00 AM, and 11:00 AM and the nighttime residential noise standard was exceeded for all hours.

The daytime residential noise standard was not exceeded at any point during the long-term measurement period at Location 2 and the nighttime noise standard was exceeded at 10:00 PM and from 4:00 AM – 7:00 AM. (DEIR, pp. 5.12-5 – 5.12-10.)

Noise levels from Project operation will not exceed the City’s daytime residential exterior noise standard of 55 dBA L_{eq} at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

MM NOI 13: To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm’s mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan’s noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting

location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system.

MM NOI 14: To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

MM NOI 15: A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation.**

MM AQ 14: Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA L_{eq} . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation.**)

MM NOI 16: Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for

such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

If the two property owners will permit the installation of the noise barrier wall per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner authorizing installation, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 39-D:

The commenter correctly stated that "All significant environmental effects of the proposed Project have been reduced to less than significant with implementation of the mitigation with the exception of impacts to air quality, noise, and traffic." The proposed buildings at the Project site will be located 100 feet from the residential property line to the north and 138 feet from the property line of the residences to the west of the Project site.

Air Quality: The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO_x) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25**. (DEIR, p. 5.3-27.) (DEIR, pp. 5.3-26, 5.3-30, 5.3-35–5.3-40.) Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Although the Project would result in significant and unavoidable impacts related to air quality even with feasible mitigation incorporated, pursuant to State CEQA Guidelines Section 15093, the City has the discretion to adopt a Statement of Overriding Considerations and make findings that the benefits of the

Project outweigh the costs to move forward with the Project. Mitigation Measures **MM AQ 13** and **MM AQ 22** were modified and new text is shown as double underlined and the text to be deleted is shown as ~~strike through~~. These revisions do not change the significance conclusions of the DEIR or result in the need for additional mitigation.

MM AQ 1: Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

MM AQ 2: Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

MM AQ 3: Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

MM AQ 4: Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

MM AQ 5: Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

MM AQ 6: Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

MM AQ 7: All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

MM AQ 8: The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

MM AQ 9: All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

MM AQ 10: Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

MM AQ 11: Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

MM AQ 12: Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 13** will be revised in the FEIR as shown below.

MM AQ 13: All facilities shall post signs informing users of requirements limiting idling to ~~three~~ five minutes or less ~~in excess of pursuant to~~ Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

MM AQ 14: Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City

shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

MM AQ 15: Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

MM AQ 18: Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

MM AQ 19: “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 22** will be revised in the FEIR as shown below.

MM AQ 22: The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that CARB diesel idling times cannot exceed three minutes regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Because the Project incorporates a design feature to require all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below.

MM AQ 23: In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with

information related to SCAQMD's Carl Moyer Program, or other such programs that promote truck retrofits or "clean" vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD's website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

MM AQ 24: Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

MM AQ 25: The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

SCAQMD has also developed localized significance thresholds (LSTs), which represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Based on the air quality analysis prepared for this Project, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors, such as the residences, within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29.)

Also, refer to Response to Comment 39-B under Good Neighbor Guidelines for a discussion regarding the Project's HRA. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: The Noise Impact Analysis prepared for the Project was based upon a model that considered the topography of the site and the adjacent residences. Unmitigated operational noise will not exceed the daytime noise standard of 55 dBA L_{eq} . However, it will exceed the nighttime noise standard of 45 dBA L_{eq} along the western Project boundary and at two residential units adjacent to the northwest corner of the Project site. Implementation of mitigation measures **MM NOI 13** through **MM NOI 16** (listed below) will reduce operational noise impacts; however, because the noise barrier outlined in **MM NOI 16** would be on private property, the Project Applicant does not have control over construction of the noise barrier and installation is therefore not guaranteed. Although the Project would result in significant and unavoidable impacts related to noise even with feasible mitigation incorporated, pursuant to State CEQA Guidelines Section 15093, the City has the discretion to adopt a Statement of Overriding Considerations and make findings that the benefits of the Project outweigh the costs to move forward with the Project.

MM NOI 13: To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be

used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system. (DEIR, p. 5.12-46.)

MM NOI 14: To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling. (DEIR, p. 5.12-46.)

MM NOI 15: A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation**. (DEIR, p. 5.12-46.)

MM NOI 16: Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for

such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate. (DEIR, pp. 5312-46-5.12-47.)

Traffic: Implementation of the Project will introduce additional traffic to the study area. All study area intersections and freeway segments will continue to operate at an acceptable level of service (LOS) when Project-related traffic is added to the existing traffic, traffic from ambient growth, and traffic from cumulative development projects except for the Eastridge Avenue-Eucalyptus Avenue I-215 Northbound off-ramp, the intersection of Sycamore Canyon Boulevard/Dan Kipper Drive, and the Fair Isle Drive/Box Springs Road I-215 northbound ramp. For the freeway segments to operate at an acceptable LOS, improvements to the freeway would be required. However, freeway facilities are under the jurisdiction of Caltrans and there is no mechanism for the City or Project Applicant to contribute fair share fees or implement improvements to change the LOS from unsatisfactory to satisfactory. For these reasons, Project impacts are considered significant and unavoidable until improvements are funded or constructed by Caltrans. (DEIR, p. 5.16-52.) Although the Project would result in significant and unavoidable impacts related to traffic even with feasible mitigation incorporated, pursuant to State CEQA Guidelines Section 15093, the City has the discretion to adopt a Statement of Overriding Considerations and make findings that the benefits of the Project outweigh the costs to move forward with the Project.

The trip distribution analyzed in the *Revised Traffic Impact Analysis, Sycamore Canyon Industrial Buildings 1 & 2* (TIA) prepared for the Project by Albert A. Webb Associates determined the directional orientation of traffic by evaluating existing and proposed land uses, existing roadway system, and existing traffic patterns within the vicinity of the Project site. The Project has been designed to limit vehicle egress onto Dan Kipper Drive by installing traffic delineators (pork chops) at each exit and by posting signs at all Project driveways that indicate only right turns onto Lance Drive. Because of these traffic directing devices, the majority of traffic exiting Project site is expected to use Sierra Ridge Drive to Sycamore Canyon Boulevard to Eastridge Avenue which will provide on/off ramp access to Interstate 215. (DEIR, p. 5.16-26)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 39-E:

The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes that included analysis of potential noise and light impacts. The existence of these warehouses is addressed in the proposed Project's environmental

analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections of the DEIR.

Good Neighbor Guidelines: Refer to Response to Comment 39-B regarding compliance with the City's Good Neighbor Guidelines. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Setback: The subject Project, as originally submitted and presented at the August 26, 2015, scoping meeting for the DEIR, proposed two buildings totaling 1.43 million square feet (SF) with the northern building (Building 2) setback 60 feet from the northerly property line. (DEIR, **Figure 8-1 – Original Project.**) As discussed on page 8-3 of the DEIR, during preparation of the DEIR, the Project Applicant received feedback from the City encouraging additional setback and landscaping along the northern portion of the Project site and a reduction in the size of the Building 2. As a result, the proposed Project was revised by the Project Applicant so that the northern wall of Building 2 is now located 100 feet south of the property line abutting residential lots north of the Project site. (DEIR, pp. 3-35, 5.1-8)

Within the 100-foot setback along the northern property line, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and an additional 6-foot wide landscape adjacent to Building 2. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**) Additionally, there are no dock doors on the northern side of Building 2, closest to the residences to the north. (DEIR, p. 3-36.)

The western wall of Building 2 is located approximately 138 feet from the rear property line of the residences located northwest of the site. There is an approximately 101-foot wide Mitigation Area, consisting of native landscaping materials, that provides additional screening and buffer from the residences to the northwest. (DEIR, **Figure 3-10 – Proposed Site Plan and Figure 3-11 – Conceptual Landscape Plan.**)

Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residential neighborhood to the north (DEIR, p. 5.1-8). The Project will also implement mitigation measure **MM AES 1** which states: (DEIR, pp. 5.12-19, 5.12-31–5.12-33.)

MM AES 1: To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

The Project will implement mitigation measure **MM AES 9** to ensure that the buildings are attractively designed. (DEIR, p. 5.1-35.)

MM AES 9: To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

As such, the proposed Project would be set back with landscape screening to minimize the aesthetic impacts. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 39-F:

Good Neighbor Guidelines: Refer to Response to Comment 39-B regarding compliance with the Good Neighbor Guidelines. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

According to CARB's *Air Quality and Land Use Handbook*, CARB recommends to avoid the placement of new sensitive land uses within 1,000 feet of a distribution center (accommodating more than 100 trucks per day, 40 trucks with transport refrigeration units (TRUs), or where TRUs operate more than 300 hours a week) and to take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points. However, these are recommendations, not mandates, and land use decisions ultimately lie with the local agency which needs to balance other considerations. (DEIR, p. 5.3-18.)

CARB's guidance, on page 5 of the handbook, acknowledges that the recommendations are in fact advisory, and "to determine the actual risk near a particular facility, a site-specific analysis would be required. Risk from diesel PM will decrease over time as cleaner technology phases in." The handbook further goes on to state that "these recommendations are designed to fill a gap where information about existing facilities may not be readily available and are not

designed to substitute for more specific information if it exists.” Therefore, the DEIR and underlying technical study is actually consistent with the CARB handbook. The DEIR includes a site-specific health risk assessment based on the geospatial location of the proposed development and existing sensitive land uses in the vicinity of the Project site and the truck travel routes that are expected to be utilized. As shown in the DEIR, the Project would not pose a significant health risk associated with diesel particulate matter (DPM) to sensitive receptors in the Project vicinity. Refer to Response to Comment 34-B for a discussion regarding the Project’s HRA.

As stated previously, the CARB recommends, but does not mandate, that new sensitive land uses should not be placed within 1,000 feet of a distribution center. As discussed in Section 5.10 – Land Use and Planning of the DEIR, the Project is consistent with both the existing land use designation in the GP 2025 and SCBPSP. Furthermore, Appendix M of the DEIR identifies applicable GP 2025 objectives and policies and the Project’s consistency level with those objectives and policies. The Project was found to be consistent with the General Plan Air Quality Element Objectives and Policies. (DEIR Appendix M, pp. M-58-65.)

Smart Growth: Smart growth is the development that serves the economy, the community, and the environment. As the Project is being constructed as a “spec” building and no specific tenant is known at this time, specific employment numbers are not available. However, based on the size of the proposed buildings, the Project would result in approximately 860 to 1,335 new permanent jobs and approximately 350 to 400 temporary construction jobs (DEIR, p. 3-43). It is anticipated that the Project Applicant would hire individuals already residing in the Project vicinity during both Project construction and operation, thus creating employment opportunities in the community. (DEIR, p. 5.13-6.)

The proposed Project would be developed adjacent to existing warehouse buildings, and setback from residential neighborhoods with landscape screening. Additionally, the proposed Project incorporates design features that connects to adjacent open space (Sycamore Canyon Wilderness Park). The Project includes a trail and a 16-space parking lot on the southeast portion of the Project site which will provide access to a fully-improved trail that will be located in an easement along the southern perimeter of Parcel 1. The parking lot and trail will provide connectivity for recreational users of the Sycamore Canyon Wilderness Park from Lance Drive in the Sycamore Canyon Business Park. (DEIR, p. 5.15-6.) Thus, the Project incorporates smart growth features to the extent feasible given that the Project is a permitted use in the GP 2025 and SCBPSP.

Although the Project is consistent with the City’s Good Neighbor Guidelines, the Guidelines do not contain specific recommendations for setback distances between warehouse/distribution center development and nearby sensitive receptors, such as residential areas. (DEIR, Appendix M.) Instead the Guidelines require the preparation of a HRA with the Project incorporating any needed mitigation measures. (Refer to Response to Comments 34-B for a discussion regarding the Project’s HRA.) Smart growth describes a general strategy that can be used to inform land use and development decisions made in the City. By providing a source of employment for

members of the community, the Project may reduce vehicle miles traveled and improves the jobs-housing balance of the vicinity.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 39-G:

Good Neighbor Guidelines: Refer to Response to Comment 39-B regarding compliance with the Good Neighbor Guidelines. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Height: The City's GP 2025 designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) As set forth in the Riverside Municipal Code Chapter 19.130, development in the Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP) allows a maximum building height of 45 feet. (DEIR, p. 5.1-11.) The proposed Project complies with the height restriction of the BMP-SP because Building 1 is proposed to be approximately 41 feet in height from grade and Building 2 will be approximately 37 feet in height from grade. The elevational and building height differences between Building 1 and Building 2 will minimize the view of these buildings from the adjacent neighborhood. Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residences north of the Project site. Additionally, Building 1 is setback approximately 256 feet from the Sycamore Canyon Wilderness Park and views of the building from the park will be softened by on-site landscaping and the Conservation Area. The northern wall of Building 2 is located 100 feet south of the property line with the residential lots north of the Project site. The Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and an additional 6-foot wide landscape area within the 100-foot buffer between Building 2 and the northern property line of the Project site. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan**, **DEIR Figure 3-11 – Conceptual Landscape Plan**.)

This comment suggests that the City implement a requirement for a 1,000-foot buffer between residential and warehouse developments and recommends height restrictions; however, these proposals are separate City planning-related issues and not directly applicable to the City's decision to move forward with the proposed Project. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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Comment Letter 40 – Alec Gerry

40

Comment for City Council Meeting on October 25

Agenda Item: Good Neighbor Guidelines – warehouse development

Please provide include my comments below to each City Council member, to the Mayor, to the City Manager, to the Planning Department, and to the Planning Commission.

40-A

Riverside has a development problem! While we pretend to support the ideals of “smart growth”, recent evidence contradicts this position. Smart growth is development for economic viability while maintaining and enhancing existing neighborhoods (this is taken from the US EPA document on Smart Growth available at the City Planning Department website). **Recent warehouse developments in this City are certainly are not maintaining or enhancing existing neighborhoods – quite the contrary; they are damaging existing neighborhoods.** You need only to look at the recent CT Realty warehouse image below to see how a neighborhood was recently damaged. Welcome to the “Berlin Wall” Riverside style!

40-B



“Berlin Wall” of Riverside – CT Realty Warehouse blocks the view and the sun.

Riverside is the leader in the Inland Empire, and our City Leadership should be ensuring that Riverside is a great place to both live and work. Instead, in 2009 Riverside tossed aside the State and County recommendation of a 1000-foot buffer zone between warehouses and residential homes protecting residents from pollutants and other hazards, and Riverside instead decided that developers should be able to build essentially whatever they wanted. Hey, after all it is the developer’s property, right?! Never mind the severe negative effects on the adjacent residential property.

40-C

Now developers expect any proposal to fly through Riverside Planning (which they do) – because there is no City ordinance, policy, or guideline stating that significant negative effects to homeowners should be a development consideration. The current Riverside “Good Neighbor” policy is so weak that it essentially serves no protective function at all. Instead of a “good neighbor”, existing residential areas get an immense wall blocking out the sun, and 24/7 noise that exceeds the noise level allowed in the adjacent residential area.

40-D

In case, you think that the CT Realty warehouse above is an anomaly, the Magnon Companies is intending to build a much larger and more threatening (from the perspective of noise) warehouse also adjacent to residential homes. Here is what the wall height of that warehouse is expected to look like based upon height indicators provided by the developer.

40-E



Proposed Magnon Warehouse – wall height marker based upon developer height indicator poles

The lack of an appropriate “Good Neighbor” Policy sets up both developers and residents for conflicts such as the current flight against the proposed Magnon warehouses which are either too tall or will produce too much noise with truck bays facing homes. This City needs to step up and provide leadership here:

40-F

What do City leaders think is appropriate development for properties next to residential homes?

Is that what we are getting with the current “Good Neighbor” policy? I hope that the images above depict developments that City Council members and other City Leaders would agree are not enhancing the existing neighborhood!

The State Air Resources Board (the experts in air quality) have recommended a buffer of 1000 feet between residential homes and warehouses. While this recommendation is based up air quality issues and protecting the health of nearby residents (including potentially sensitive receptors such as the very young, very old, or those with lung or breathing issues), *this common-sense approach to provide a clear buffer also goes a long way toward protecting residential communities from other significant impacts (such as noise).*

40-G

Noise is particularly problematic for myself and my neighbors. Already, we are awakened by warehouse activity noise throughout the night, and this is with warehouses that are currently farther than 1000 feet away (up to 1 mile). We cringe at the thought of having these noises come from only 100 feet away!

40-H

Frankly, even a buffer of 1000 feet will not eliminate the impact of noise on adjacent residential areas, but this buffer seems like a reasonable compromise particularly as it aligns with the state recommendation for reducing health impacts of warehouses.

I hope that the City Council will recognize that it needs to provide leadership and guidance on this issue both to the City Planning Department and to developers. You have the means to either return Riverside to the path of "smart growth" or continue down a path leading to development conflict, lawsuits, blighted neighborhoods, and economic loss due to lower property values.

40-I

Alec Gerry
6017 Cannich Road
Riverside, CA 92507

Response to Comment Letter 40 – Alec Gerry

Note: This is the third comment letter from Mr. Gerry. He is also the author of Comment Letters 14 and 15. In addition to noise and traffic, which were raised in the previous letters, this comment letter also raises the issue of land use and aesthetics.

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2013, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 40-A:

This comment will be added to the official record for the Project, which will be provided to each City Council member, to the Mayor, to the City Manager, to the Planning Department, and to the Planning Commission. The public will have an opportunity to comment on the merits of the Project itself at a Planning Commission hearing and at a City Council hearing. Notice of the Planning Commission and City Council hearings on this Project will be published at least 10 days prior to the hearing date in accordance with relevant provisions of the Government Code. The agenda for Planning Commission and City Council hearings can be found at: <http://riversideca.legistar.com/Calendar.aspx>. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 40-B:

The commenter’s opinion regarding the CT Sycamore Center Project is noted. The CT Sycamore Center Project on Dan Kipper Drive, was constructed with a fifty-foot setback from the northerly property lines, adjacent to the residential properties and the buildings range from 37-feet to 41-feet in height. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes. The existence of these warehouses is addressed in the proposed Project’s environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections of the DEIR.

Smart Growth: Smart growth is the development that serves the economy, the community, and the environment. The proposed Project is consistent with the land use and zoning designations for the site and these designations were applied taking into consideration the General Plan

policies concerning Smart Growth. As the Project is being constructed as a “spec” building and no specific tenant is known at this time, specific employment numbers are not available. Based on the size of the proposed buildings and logistics uses, the Project would result in approximately 860 to 1,335 new permanent jobs and approximately 350 to 400 temporary construction jobs. (DEIR, p. 3-43.) It is anticipated that the Project Applicant and future occupants would hire individuals already residing in the Project vicinity during both Project construction and operation, thus creating employment opportunities in the community.

The proposed Project would be developed adjacent to existing warehouse buildings, and will be set back from the residential neighborhoods with landscape screening. Additionally, the proposed Project incorporates design features that provides a connection into the adjacent open space (Sycamore Canyon Wilderness Park). The Project includes a trail and a 16-space parking lot on the southeast portion of the Project site which will provide access to a fully-improved trail that will be located in an easement along the southern perimeter of Parcel 1. The parking lot and trail will provide connectivity for recreational users of the Sycamore Canyon Wilderness Park from Lance Drive in the Sycamore Canyon Business Park. (DEIR, p. 5.15-6.) Thus, the Project incorporates smart growth features to the extent feasible. The use of the proposed Project as a logistics center is a permitted use in the City’s General Plan 2025 (GP 2025) and Sycamore Canyon Business Park Specific Plan (SCBPSP).

The proposed Project, as originally submitted and presented at the August 26, 2015, scoping meeting for the DEIR, consisted of two buildings totaling 1.43 million square feet (SF) with the northern building (Building 2) setback 60 feet from the northerly property line. (DEIR, **Figure 8-1 – Original Project.**) As discussed on page 8-3 of the DEIR, during preparation of the DEIR, the Project Applicant received feedback from the City encouraging additional setback and landscaping along the northern portion of the Project site and a reduction in the size of the Building 2. Thus, the proposed Project was revised by the Project Applicant so that the northern wall of Building 2 is now located 100 feet south of the property line with the residential lots north of the Project site. Within the 100 feet setback, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and an additional 6-foot wide landscape area adjacent to Building 2. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**) This is the Project that has been analyzed in the DEIR. Additionally, there are no dock doors on the northern side of Building 2, closest to the residences.

The western wall of Building 2 is located approximately 138 feet from the rear property line of the residences located northwest of the site. There is an approximately 101-foot wide Mitigation Area, consisting of native landscaping materials, that provides additional screening and buffer from the residences to the northwest. (DEIR, **Figure 3-10 – Proposed Site Plan and Figure 3-11 – Conceptual Landscape Plan.**)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 40-C:

The commenter's assertion that the City allows developers to build essentially wherever they want is incorrect. The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) As noted above, the Project site is within the City's SCBPSP, which authorizes a planned industrial park consisting of approximately 920 acres of industrial and commercial uses and a 480-acre wilderness park (Sycamore Canyon Wilderness Park). The proposed distribution center at the Project site is consistent with the land use designation for the site in the City's GP 2025 and the SCBPSP.

Air Quality: The City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all the goals and strategies outlined in the City's *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72.) Because each Project and property have different characteristics and circumstances, the City's *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a Health Risk Assessment (HRA) be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. The site has been designed to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's *Good Neighbor Guidelines*.

According to CARB's *Air Quality and Land Use Handbook*, CARB recommends to avoid the placement of new sensitive land uses within 1,000 feet of a distribution center (accommodating more than 100 trucks per day, 40 trucks with transport refrigeration units (TRUs), or where TRUs operate more than 300 hours a week) and to take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points. However, these are recommendations, not mandates, and land use decisions ultimately lie with the local agency which needs to balance other considerations. (DEIR, p. 5.3-18.)

Since residences will be located within 1,000 feet from the proposed Project, a Screening HRA was prepared in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 ([included](#) as Attachment A.1 to the FEIR) to evaluate cancer and non-cancer risks associated with the proposed Project. The November Refined HRA was prepared in response to comments received from SCAQMD on the DEIR regarding the June Screening HRA, and is consistent with the requested SCAQMD guidance and methodology. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the "New Modeling"). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter

responding to December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR). In the June Screening HRA, the November Refined HRA, and New Modeling, none of the SCAQMD cancer or non-cancer thresholds are exceeded because of Project construction or operation for either workers or residents within the Project site and vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June Screening HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment F.2.)

CARB's guidance, on page 5 of the handbook, acknowledges that the (set back) recommendations are in fact advisory, and "to determine the actual risk near a particular facility, a site-specific analysis would be required. Risk from diesel PM will decrease over time as cleaner technology phases in." The handbook further goes on to state that "these recommendations are designed to fill a gap where information about existing facilities may not be readily available and are not designed to substitute for more specific information if it exists." Therefore, the DEIR, the June Screening HRA, the November Refined HRA, and the New Modeling are actually consistent with the CARB handbook. The DEIR includes a site-specific health risk assessment based on the geospatial location of the proposed development and existing sensitive land uses in the vicinity of the Project site and the truck travel routes that are expected to be utilized. As shown in the DEIR, the Project would not pose a significant health risk associated with diesel particulate matter (DPM) to sensitive receptors in the Project vicinity.

As stated previously, the CARB recommends, but does not mandate, that new sensitive land uses should not be placed within 1,000 feet of a distribution center. As discussed in Section 5.10 – Land Use and Planning of the DEIR, the Project is consistent with both the existing land use designation in the GP 2025 and SCBPSP. Furthermore, Appendix M of the DEIR identifies applicable GP 2025 objectives and policies and the Project's consistency level with those objectives and policies. The Project was found to be consistent with the General Plan Air Quality Element Objectives and Policies. (DEIR Appendix M, pp. M-58-65.)

The Project will incorporate several design features to mitigate impacts on the residents. For example, Building 2 does not have any dock doors along the northern boundary facing the residences, and all driveways exiting the Project site will be right-turn only out to direct automotive and truck traffic away from Dan Kipper Avenue and the residential areas. (DEIR, pp. 3-26, 5.16-26.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Hazards: Because the exact tenants of the proposed logistics center buildings are not known at this time, there is the potential that hazardous materials such as petroleum products, pesticides, fertilizer, and other household hazardous products such as paint products, solvents, and cleaning products may be stored and transported in conjunction with the proposed logistics center use. These hazardous materials would only be stored and

transported to and from the site. Manufacturing and other chemical processing will not be permitted under the provisions of the SCBPSP. (DEIR, p. 5.8-17.)

Although the overall quantity of hazardous materials and waste generated in the Project area may increase because of implementation of the proposed Project, any new use that will handle or use hazardous materials would be required to comply with the regulations, standards, and guidelines established by the United States Environmental Protection Agency, the State of California, County of Riverside, and City of Riverside related to storage, use, and disposal of hazardous materials. (DEIR, p. 5.8-18.) Both the federal and state governments require all businesses that handle more than a specified amount of hazardous materials to submit a hazardous material business plan (HMBP) to a regulating agency to enable a quick and accurate evaluation of each situation for an appropriate response in the event of an emergency. It is not anticipated that the tenants of the buildings would handle enough hazardous materials to necessitate preparation of an HMBP; however, any new business that meets the specified agency criteria would be required to submit an HMBP. Compliance with the environmental regulations of the United States Environmental Protection Agency, the State of California, County of Riverside, and City of Riverside would minimize hazardous risks.

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 40-D:

Good Neighbor Guidelines: See Response to Comments 40-B and 40-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: Construction noise of up to 80 dBA L_{eq} at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA L_{eq} and the standard for public recreational facilities of 65 dBA L_{eq} . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) It should be noted that on August 18, 2016 (taking effect 30-days later), the City of Riverside City Council adopted Ordinance 7341 amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

MM NOI 1: To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or

cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division. **MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

MM NOI 3: During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

MM NOI 4: All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

MM NOI 5: All construction equipment shall be shut off and not left to idle when not in use.

MM NOI 6: All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

MM NOI 7: The use of amplified music or sound is prohibited on the Project site during construction.

MM NOI 8: Haul truck deliveries shall be limited to the same hours specified for construction equipment.

MM NOI 9: It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

MM NOI 10: Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

MM NOI 11: For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

MM NOI 12: No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA L_{eq} at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

MM NOI 13: To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system.

MM NOI 14: To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

MM NOI 15: A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation.**

MM AQ 14: Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical

hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are located at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA L_{eq} . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation.**)

MM NOI 16: Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

With installation of a ten-foot tall noise barrier per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on from the consent of the individual property owners, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

Ambient noise measurements were taken at two locations within the Project site to quantify the existing noise environment at the Project site and its vicinity. (DEIR, **Figure 5.12-1 – Noise Measurement Locations.**) Short-term measurements were taken twice at Location 1 to quantify noise conditions both during active construction of the CT Realty Project east of the Project site and north of Dan Kipper Drive and while construction was inactive (DEIR, **Table 5.12-B – Existing Noise Levels in Project Vicinity**). During the monitoring periods, none of the short-term L_{eq} noise measurements taken at either location exceeded the daytime noise standard of 55 dBA for residential property, except for the measurement taken at Location 1 during active construction of the CT Realty Project. For the long-term measurement taken at Location 1, the daytime residential noise standard of 55 dBA was exceeded at 8:00 AM, 10:00 AM, and 11:00 AM and the nighttime residential noise standard was exceeded for all hours. The daytime residential noise standard was not exceeded at any point during the long-term measurement period at Location 2 and the nighttime noise standard was exceeded at 10:00 PM and from 4:00 AM – 7:00 AM. (DEIR, pp. 5.12-5 – 5.12-10.)

With regard to noise from existing development within the SCBP, noise sourced from existing operations, including the Big 5 Distribution Center, Ralph’s Distribution Center, and the Pepsi Bottling Group facility would be reflected in the ambient noise measurements taken in December 2015. Since in the current condition there are no intervening structures between the Big 5 and Ralph’s facilities and the residences adjacent to the Project site, it is not unexpected that residents hear noise from these operations. It is important to note that CEQA does not require a Project to mitigate for pre-existing impacts and conditions. That is, the proposed Project need not account for and/or mitigate non-Project related noise that may exceed current standards.

The Noise Impact Analysis (NIA) prepared for the proposed Project includes “Vibration Source Levels for Construction Equipment” (Federal Transit Administration 2006) and Table 2 includes “Typical Human Reaction and Effect on Buildings due to Groundborne Vibration (Caltrans 2002). The NIA acknowledges that vibratory construction equipment may annoy persons within 100 feet of on-site project construction. Use of a vibratory roller, which may occur with 25 feet of an adjacent receptor could generate up to 0.21 PPV (94 VdB) at a distance of 25 feet; and operation of a large bulldozer (0.089 PPV (87 VdB) at a distance of 25 feet (two of the most vibratory pieces of construction equipment) for a few days. Groundborne vibration at sensitive receptors associated with this equipment would drop off as the equipment moves away. For example, as the vibratory roller moves further than 100 feet from the sensitive receptors, the vibration associated with it would drop below 75 VdB. Thus, the use of vibratory construction equipment will be short-term and temporary as the annoyance would only occur during site grading and preparation activities. During Project operation, trailer trucks are prohibited from use of the driveway located between the sensitive receptors located north of the project site and the proposed building and sensitive receptors upslope and to the west of the Project site are too far away to be affected. The DEIR contains a thorough analysis of the noise resulting from the following operational sources: semi-trucks (tractor-trailers) entering and exiting the Project site and accessing dock areas, removal and hook-up of trailers, idling trucks, loading and unloading activities, occasional truck air brakes, vehicle movements within

the proposed parking areas, trash compactors, and rooftop HVAC systems. (DEIR, p. 5-12-26.). The DEIR concluded that, although unmitigated operational noise will not exceed the City's daytime noise standard of 55 dBA L_{eq} , it will exceed the nighttime noise standard of 45 dBA L_{eq} along the western project boundary and at certain residences adjacent to the northwest corner of the Project site. Thus, the Project is required to implement mitigation measures **MM NOI 13** through **MM NOI 16** (see [Response to Comments 28-A, 28-D, and 28-F](#)) to reduce operational noise impacts. However, as discussed in [Response to Comment 28-F](#), because the noise barrier outlined in **MM NOI 16** would be on private properties and neither the City nor Project Applicant has control over construction of the noise barrier, the DEIR concluded operational noise impacts are significant even with incorporation of feasible mitigation. (DEIR, pp. 5.12-24–5.12-34.) Additionally, the Project site has been designed to minimize noise impacts on residences by eliminating dock doors on the north side of Building 2 and not including cross-dock facilities on this building. As a result, there are no truck or trailer activities and no loading and unloading between Building 2 and the residences thus significantly reducing noise sources near the residences. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 40-E:

Noise: The comment regarding existing noise from the warehouses is noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes, including impacts related to noise. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections of the DEIR. Refer to Response to Comment 40-D above regarding construction and operational noise impacts. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Height: The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) As set forth in the Riverside Municipal Code Chapter 19.130, development in the Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP) establishes a maximum building height to 45 feet. (DEIR, p. 5.1-11.) The proposed Project complies with the height restriction in the BMP-SP because Building 1 is proposed to be approximately 41 feet in height above grade and Building 2 will be approximately 37 feet in height above grade. Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residences north of the Project site. Additionally, Building 1 is setback approximately 256 feet from the Sycamore Canyon Wilderness Park and views of the building from the park will be softened by on-site landscaping and the Conservation Area. The northern wall of Building 2 is located 100 feet south of the property line from the residential lots north of the Project site. Within the 100-foot setback, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles

only, no trucks) and an additional 6-foot wide landscape adjacent to Building 2. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 40-F:

Good Neighbor Guidelines: See Response to Comment 40-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: See Response to Comment 40-D. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Height: See Response to Comment 40-E. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 40-G:

Air Quality: See Response to Comment 40-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: See Response to Comment 40-D. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 40-H:

Air Quality: See Response to Comment 40-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: See Response to Comment 40-D. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 40-I:

Smart Growth: The proposed Project is consistent with the land use and zoning designations for the Project site that took into account the General Plan policies concerning Smart Growth. Also, refer to Response to Comment 40-B. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Property Values: The commenter's concern regarding loss of property values is noted. It is also noted that this comment does not provide any evidence to support the speculation that the neighborhood will turn into low-end rentals if the Project is approved. According to CEQA Guidelines Section 15358(b), impacts analyzed in the EIR must be "related to physical changes" in the environment, not economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project's social or economic effect because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.

The CEQA Guidelines also provide that physical effects on the environment related to changes in land use, population, and growth rate induced by a project may be indirect or secondary impacts of the project and should be analyzed in the EIR only if the physical effects would be significant. (CEQA Guidelines, § 15358(a)(2).) Indeed, “evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.” (CEQA Guidelines, § 15064(f)(6).) The California Supreme Court has explained that “[a]n EIR is to disclose and analyze the direct and the reasonably foreseeable indirect environmental impacts of a proposed project if they are significant. . . . Economic and social impacts of proposed projects, therefore, are outside CEQA’s purview.” (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1182 [citing CEQA Guidelines, §§ 15126.2, 15064(d)(3)].) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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Comment Letter 41 – Alec Gerry

41

Riverside “Good Neighbor” Policy – Issues



1) Experts recommend a 1000-foot Buffer Zone between warehouses and residential homes

41-A

- a. Recommendation by State Air Resources Board guidance document for cities to make reasonable judgements for locating warehouses to limit health risk.
 - i. *These are the experts in measuring health risk!*
 - ii. Riverside currently fails to follow proper health risk determinations.
- b. 1000-ft also policy of Riverside County (based upon State recommendation)
 - i. Riverside agreed with Riverside County (1000-ft buffer) in 2006, then quietly eliminated this requirement in 2009 with a MUCH weaker policy.
- c. Buffer would also reduce noise and aesthetic impact discussed below.

2) Nighttime noise is a huge problem!

41-B

- a. Noise in Industrial zones at 70dB while residential areas at 45dB. That is a 25dB difference!! How is this compatible at 30-100 feet?!
- b. Residents are already impacted by existing warehouse noise (>1000 feet).
- c. Assume a generous 6dB of noise reduction for each doubling of distance (as assumed in the Magnon warehouse EIR), then the distance to reduce noise to residential-acceptable levels is more than 4 doublings of distance from a 100-foot setback starting point (6dB x 4 doublings = 24dB, with distance doubling to 100-200-400-800-1600 ft).
- d. Noise will have effects on child development and resident sleep.

3) Aesthetics of adjacent homes are heavily impacted!

41-C

- a. Recent CT Realty warehouse and proposed Magnon warehouse taller than adjacent homes. These monolithic walls block all views and sun. Residents call CT Realty wall the “Berlin Wall” - they feel imprisoned.
- b. Wall height is limited to 6 ft in residential areas for aesthetic reasons
 - i. Why is a development in the adjacent property allowed to build a 40 ft wall?! Wall height should be related to distance from residential home.
- c. Homes lose “view” that residents paid a premium for

4) House values near Mega-warehouses are reduced

41-D

- a. Residents are selling homes if they can – value has already been reduced for adjacent homes. Just ask the residents and realtors trying to sell.
- b. Homes near warehouses will become rentals (likely for students). Why maintain these homes? They will no longer be desirable homes.

5) Are adjacent homes and warehouses “Smart Growth” for Riverside?

41-E

- a. The significant negative impacts on residential properties will result in long-term negative economic effects for the City. Loss in property taxes - lower home price.
- b. *Sets up developers, residents, and City for conflicts such as the current conflict with proposed Magnon warehouses and residents in Sycamore Highlands.*
- c. The City prides itself on “smart growth”, but smart growth is development that serves the economy, the community, and the environment. **None of these are served by Mega-warehouses being placed next to homes!**
 - i. Smart Growth includes “Strong Neighborhoods” – maintaining and enhancing the value of existing neighborhoods (from US EPA Smart Growth Network link on Riverside Planning Dept. webpage: <https://www.riversideca.gov/planning/cityplans.asp>)
- d. Close approximation of Mega-warehouses and residential homes results in numerous significant negative impacts that cannot be mitigated:
 - i. Nighttime noise
 - ii. Reduced Air Quality
 - iii. Loss of Aesthetic quality of the neighborhood

6) Mega-warehouses pose unknown health risks for residents

41-F

- a. Mega-warehouses can store any number of dangerous chemicals that may result in health risk to residents living in the near vicinity of the warehouse in the event of warehouse fire, chemical spill or release, or explosion.
- b. A suitable buffer to reduce unknown health risks is needed – the 1000ft buffer recommended by the State is likely to greatly reduce these risks.

All of these issues are reduced simply by applying a common-sense approach to protecting developments that already exist!!

41-G

- ***Mandate a reasonable buffer distance between residential homes and warehouse developments (State recommends 1000 feet!)***
- ***Apply total height restrictions matching the residential requirements for buildings within 100 feet of residential property line.***
 - ***Over 100 feet apply height step downs to transition industrial to 100 feet from residential properties***

Response to Comment Letter 41 – Alec Gerry

Note: This is the fourth comment letter from Mr. Gerry. He is also the author of Comment Letters 14, 15, and 40. In addition to land use, noise, and aesthetics which were raised in the previous letters, this comment letter also raises the issue of storage of hazardous materials.

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2013, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 41-A:

Comment noted. Currently, the City of Riverside does not have a requirement for a 1,000-foot buffer between warehouses and other land uses, and the *Sycamore Canyon Business Park Specific Plan* does not require 1,000-foot setbacks.

According to CARB’s *Air Quality and Land Use Handbook*, CARB recommends to avoid the placement of new sensitive land uses within 1,000 feet of a distribution center (accommodating more than 100 trucks per day, 40 trucks with transport refrigeration units (TRUs), or where TRUs operate more than 300 hours a week) and to take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points. However, these are recommendations, not mandates, and land use decisions ultimately lie with the local agency which needs to balance other considerations. (DEIR, p. 5.3-18.) Since the Project involves the construction of a logistics center approximately 100 feet (30 meters) from the nearest sensitive receptor, a Screening HRA was prepared in June 2016 for the Project (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 to address the SCAQMD comments (included as Attachment A.1 to the FEIR). The November Refined HRA is consistent with the requested SCAQMD guidance and methodology. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the “New Modeling”). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR). According to the June Screening HRA, the Refined November HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. Therefore, the Project will not result in the exposure of sensitive receptors to

substantial pollutant concentrations during Project construction or operation. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

CARB's guidance, on page 5 of the handbook, acknowledges that the recommendations are in fact advisory, and "to determine the actual risk near a particular facility, a site-specific analysis would be required. Risk from diesel PM will decrease over time as cleaner technology phases in." The handbook further goes on to state that "these recommendations are designed to fill a gap where information about existing facilities may not be readily available and are not designed to substitute for more specific information if it exists." Therefore, the FEIR and underlying technical studies is actually consistent with the CARB handbook. The FEIR includes a site-specific health risk assessment based on the geospatial location of the proposed development and existing sensitive land uses in the vicinity of the Project site and the truck travel routes that are expected to be utilized. As shown in the FEIR, the Project would not pose a significant health risk associated with diesel particulate matter (DPM) to sensitive receptors in the Project vicinity.

As stated previously, the CARB recommends, but does not mandate, that new sensitive land uses should not be placed within 1,000 feet of a distribution center. As discussed in Section 5.10 – Land Use and Planning of the DEIR, the Project is consistent with both the existing land use designation in the GP 2025 and SCBPSP. Furthermore, Appendix M of the DEIR identifies applicable City of Riverside General Plan 2025 objectives and policies and the Project's consistency level with those objectives and policies. The Project was found to be consistent with the General Plan Air Quality Element Objectives and Policies. (DEIR Appendix M, pp. M-58-65.)

Air Quality: The City adopted Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all the goals and strategies outlined in the City's Good Neighbor Guidelines. (DEIR Appendix M, pp. M-66–M-72.) Because each project and property have different characteristics and circumstances, the City's Good Neighbor Guidelines do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a HRA be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. The Project site has been designed to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's Good Neighbor Guidelines.

As discussed above, since residences will be located within 1,000 feet from the proposed Project, a HRA was prepared. Refer to the previous discussion regarding the results of the HRA and subsequent New Modeling.

Aesthetics: Although a 1,000-foot buffer has not been included in the Project, certain features of the site design and location do minimize aesthetic impacts. The site has been designed to incorporate a 100-foot building setback and expanded landscaped buffer between the Project and adjacent residences to minimize impacts to residents. (DEIR, p. 3-35.)

The proposed Project, as originally submitted and presented at the August 26, 2015 scoping meeting for the DEIR, proposed two buildings totaling 1.43 million square feet (SF) with the northern building (Building 2) setback 60 feet from the northerly property line. (DEIR, **Figure 8-1 – Original Project.**) As discussed on page 8-3 of the DEIR, during preparation of the DEIR, the Project Applicant received feedback from the City, encouraging additional setback and landscaping along the northern portion of the Project site and a reduction in the size of the Building 2. Thus, the proposed Project was revised by the Project Applicant so that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site. (DEIR, pp. 8-3–8-5.)

Within the 100-foot Building 2 setback, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and a 6-foot wide landscape area adjacent to Building 2 and the northern property line of the Project site. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**) Additionally, there are no dock doors on the northern side of Building 2, closest to the residences to the north. (DEIR, pp. 3-35, 5.1-8.)

The western wall of Building 2 is located approximately 138 feet from the rear property line of the residences located northwest of the site. Within this setback, there is an approximately 101-foot wide Mitigation Area, consisting of native landscaping materials, that provides additional screening and buffer from the residences to the northwest. (DEIR, **Figure 3-10 – Proposed Site Plan and Figure 3-11 – Conceptual Landscape Plan.**)

Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residential neighborhood to the north. (DEIR, p. 5.1-8.) The Project will also, implement mitigation measure **MM AES 1** which states: (DEIR, pp. 5.12-19, 5.12-31–5.12-33.)

MM AES 1: To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning

Division and the Parks, Recreation, and Community Services Department for review and approval.

Furthermore, in response to public comments, the Project Applicant has agreed to limit truck idling at the Project site to three minutes, which is two minutes less than the maximum idling time required under SCAQMD regulations and state law. (DEIR, p. 5.3-19.)

The Project includes City Design Review and will implement mitigation measure **MM AES 9** to ensure that the buildings are attractively designed. (DEIR, p. 5.1-35.)

MM AES 9: To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

Aesthetic impacts of the Project were found to be less than significant in the DEIR through the incorporation of Project design features and mitigation measures. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: Although a 1,000-foot buffer has not been included in the Project, certain features of the site design do provide noise attenuations. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) It should be noted that on August 18, 2016, the City of Riverside City Council adopted Ordinance 7341 amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

MM NOI 1: To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels

do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

MM NOI 2: To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

MM NOI 3: During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

MM NOI 4: All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

MM NOI 5: All construction equipment shall be shut off and not left to idle when not in use.

MM NOI 6: All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

MM NOI 7: The use of amplified music or sound is prohibited on the Project site during construction.

MM NOI 8: Haul truck deliveries shall be limited to the same hours specified for construction equipment.

MM NOI 9: It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

MM NOI 10: Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

MM NOI 11: For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

MM NOI 12: No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA L_{eq} at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

MM NOI 13: To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system.

MM NOI 14: To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

MM NOI 15: A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation.**

MM AQ 14: Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are located at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA L_{eq} . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation.**)

MM NOI 16: Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

The installation of a ten-foot tall noise barrier per mitigation measure **MM NOI 16**, the operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner granting approval, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 41-B:

Comment noted. The DEIR did evaluate noise impacts from the Project and a Noise Impact Study was prepared and included in the DEIR. (DEIR Appendix I.) Exterior nuisance sound levels in the City's Municipal Code are 70 dBA for industrial areas, 45 dBA for residential areas during nighttime, and 55 dBA for residential areas during daytime. (DEIR, **Table 5.12-E – Riverside Municipal Code Exterior Nuisance Sound Level Limits.**) Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA L_{eq} at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (L_{eq}) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, noted above (DEIR, p. 5.12-46.)

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, above, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA L_{eq} . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation.**)

With the installation of a ten-foot tall noise barrier per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner granting approval to construct, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

Noise from existing warehouses was included as part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA). Ambient noise at two locations on the Project site was monitored for 24 hours. The results of this monitoring are reported in DEIR **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, noise sources included noise from adjacent existing industrial uses, existing residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) The NIA also quantified potential noise impacts associated with construction and operation of the proposed Buildings 1 and 2. (DEIR Appendix I.)

The noise drop-off rate associated with geometric spreading from a stationary source is 6 dBA per each doubling of distance. The receptors that will receive the highest noise levels are numbers 3 and 4 located above the Project site to the northwest, which are anticipated to reach peak noise levels of 49 and 52 dBA during Project operation without mitigation. (DEIR, **Figure 5.12-5 – Operational Noise Levels (L_{eq}) No Mitigation.**) Noise levels without mitigation will exceed the City's 45 dBA nighttime noise standards by 4 dBA and 7 dBA, respectively. Therefore, the commenter's assertion that the distance to reduce noise to residential-

acceptable levels is more than four doublings of distance from a 100-foot setback starting point is incorrect. Rather, a doubling of the setback would be sufficient to reduce noise levels to residential-acceptable levels. However, instead of taking this approach, the Project incorporates several other noise-reducing design features, to the extent feasible, consistent with Figure N-10 of Title 24 of the California Code of Regulations to reduce noise impacts including barriers, and site design to locate noise-generating activities at the Project site away from the residences. For example, the Project site has been designed to minimize noise impacts on residences by eliminating dock doors on the north side of Building 2 and not including cross-dock facilities on this building. As a result, there are no truck or trailer activities and no loading and unloading between Building 2 and the residences thus significantly reducing noise sources near the residences. Nonetheless, noise impacts remain significant and unavoidable because mitigation measure **MM NOI 16** requires construction of a ten-foot noise barrier wall on private property and is not feasible because neither the City nor the Project Applicant has the authority to require its construction.

There is no evidence provided to substantiate the claim that noise will have effects on child development and resident sleep. Further, quality of life issues are not a California Environmental Quality Act (CEQA) related matter and thus not included in the DEIR analysis. Regardless, the project results in an operational noise impact at only two residences located to the northwest of the project site. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 41-C:

The comments regarding the existing warehouses are noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes, including analysis of impacts related to aesthetics and building heights. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

The commenter's assertion that wall height is generally limited to six feet in residential areas is correct. To further obscure views of the buildings at the Project site and reduce noise impacts, the City has authorized construction of an 8-foot tall wall adjacent to the residences pursuant to mitigation measure **MM AES 1** noted in Response to Comment 41-A above.

Further, onsite landscaping as well as the Project's grading plan will reduce aesthetic impacts to less than significant. Additionally, building walls that face the residences will be articulated with pockets of light and shadow to break up the long expanse of wall and the Project's landscape plan has been designed to provide visual appeal, functionality, and a buffer around the Project site as well as between the proposed buildings. (DEIR, pp. 5.1-7 – 5.1-9.)

Regarding the economic impacts related to homes losing their "view," this is not an environmental issue and is outside of the scope of analysis of a DEIR. According to CEQA Guidelines Section 15358(b), impacts to be analyzed in the EIR must be "related to physical

changes” in the environment, not economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project’s social or economic effect because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of use and effect. The focus of the analysis shall be on the physical changes.

The CEQA Guidelines also provide that physical effects on the environment related to changes in land use, population, and growth rate induced by a project may be indirect or secondary impacts of the project and should be analyzed in the EIR only if the physical effects would be significant. (CEQA Guidelines Section 15358(a)(2).) Indeed, “evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.” (CEQA Guidelines, § 15064(f)(6).) The California Supreme Court has explained that “[a]n EIR is to disclose and analyze the direct and the reasonably foreseeable indirect environmental impacts of a proposed project if they are significant. . . . Economic and social impacts of proposed projects, therefore, are outside CEQA’s purview.” (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1182 [citing CEQA Guidelines, §§ 15126.2, 15064(d)(3)].) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 41-D:

The commenter’s concern regarding loss of property values is noted. It is also noted that this comment does not provide any evidence to support the speculation that the neighborhood will turn into low-end rentals if the Project is approved. With regard to CEQA requirements for analysis of economic impacts refer to Response to Comment 41-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 41-E:

Economic Impacts: Refer to Response to Comment 41-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Land Use: The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City’s *Sycamore Canyon Business Park Specific Plan* (SCBPSP), which was

adopted in 1984 by the City to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14.)

The proposed Project is consistent with the planned use for the site in both the GP 2025 and SCBPSP and would not conflict with these plans. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Smart Growth: The commenter notes that smart growth is the development that serves the economy, the community, and the environment. The proposed Project is consistent with the land use and zoning designations for the site and these designations were applied taking into consideration the General Plan policies concerning Smart Growth. As the Project is being constructed as a “spec” building and no specific tenant is known at this time, specific employment numbers are not available. Based on the size of the proposed buildings, the Project would result in approximately 860 to 1,335 new permanent jobs and approximately 350 to 400 temporary construction jobs. (DEIR, p. 3-43.) It is anticipated that the Project proponent would hire individuals already residing in the Project vicinity during both Project construction and operation, thus creating employment opportunities in the community.

The proposed Project would be developed adjacent to existing warehouse buildings, and set back from residential neighborhoods with landscape screening. Additionally, the proposed Project incorporates design features that connects to adjacent open space (Sycamore Canyon Wilderness Park). The Project includes a trail and a 16-space parking lot on the southeast portion of the Project site which will provide access to a fully-improved trail that will be located in an easement along the southern perimeter of Parcel 1. The parking lot and trail will provide connectivity for recreational users of the Sycamore Canyon Wilderness Park from Lance Drive in the Sycamore Canyon Business Park. (DEIR, p. 5.15-6.) Thus, the Project incorporates smart growth features to the extent feasible given that the Project is a permitted use in the GP 2025 and SCBPSP.

Noise: See Response to Comment 41-A above. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Air Quality: The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project’s short-term emissions are below regional and localized thresholds. However, the Project’s long-term Oxides of Nitrogen (NO_x) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25**. (DEIR, p. 5.3-27.) (DEIR, pp. 5.3-26, 5.3-30, 5.3-35–5.3-40.) Hence, regional air quality

impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.) To reflect that the Project will incorporate reduced idling time, mitigation measures **MM AQ13** and **AQ 22** were modified as shown below. Because the Project incorporates a design feature to require all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below. New text is shown as double underlined and the text to be deleted is shown as ~~strikethrough~~.

These revisions do not change the significance conclusions of the DEIR or result in the need for additional mitigation.

MM AQ 1: Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

MM AQ 2: Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

MM AQ 3: Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

MM AQ 4: Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

MM AQ 5: Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

MM AQ 6: Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

MM AQ 7: All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

MM AQ 8: The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

MM AQ 9: All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

MM AQ 10: Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

MM AQ 11: Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

MM AQ 12: Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

MM AQ 13: All facilities shall post signs informing users of requirements limiting idling to ~~three~~five minutes or less in excess of pursuant to Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

MM AQ 14: Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

MM AQ 15: Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

MM AQ 18: Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

MM AQ 19: “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

MM AQ 22: The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that CARB diesel idling times cannot exceed three minutes regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

MM AQ 23: In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

MM AQ 24: Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

MM AQ 25: The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

SCAQMD has also developed localized significance thresholds (LSTs), which represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Based on the air quality analysis prepared for this Project, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors, such as the residences, within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29.) Refer to Response to Comment 41-A for a discussion regarding the Project's HRA and New Modeling.

Aesthetics: Refer to Response to Comment 41-A.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 41-F:

No unknown impacts were identified in this comment, as the issues raised were addressed in the DEIR. The DEIR addressed health risks in two places: Air Quality (Section 5.3) and Hazards (Section 5.8).

Air Quality: Refer to Response to Comment 41-A for a discussion regarding the Project's HRA.

Hazards: Because the exact tenants of the buildings are not known at this time, there is the potential that hazardous materials such as petroleum products, pesticides, fertilizer, and other household hazardous products such as paint products, solvents, and cleaning products to be stored and transported in conjunction with the proposed logistics center use. These hazardous materials would only be stored and transported to and from the site. Manufacturing and other chemical processing are not permitted under the provisions of the SCBPSP. (DEIR, p. 5.8-17.) As part of the Tenant Improvement Process the City requires all businesses that handle, store, and/or use hazardous materials equal to or greater than 500 pounds, 200 cubic feet and/or 55 gallons at standard temperature and pressure or 5 gallons, 50 pounds or 20 cubic feet of an EHS (Extremely Hazardous Substance) to submit their Business Emergency Plan electronically in the California Environmental Reporting System (CERS), <http://cers.calepa.ca.gov>. This is pursuant to the State mandate requiring all businesses to submit their Business Emergency Plans electronically. First time user/handlers must submit their completed business emergency plan within thirty (30) days of becoming a user/ handler. Any business who does not submit by their assigned due dates may be subject to administrative penalties. These businesses are inspected annually by the Fire Department.

Although the overall quantity of hazardous materials and waste generated in the Project area may increase because of implementation of the proposed Project, all new businesses that will handle or use hazardous materials would be required to comply with the regulations, standards, and guidelines established by the United States Environmental Protection Agency, the State of California, County of Riverside, and City of Riverside related to storage, use, and disposal of hazardous materials. (DEIR, p. 5.8-18.) Both the federal and state governments require all businesses that handle more than a specified amount of hazardous materials to submit a hazardous material business plan (HMBP) to a regulating agency to enable a quick and accurate evaluation of each situation for an appropriate response in the event of an emergency. It is not anticipated that the tenants of the building would handle enough hazardous materials to necessitate preparation of an HMBP; however, any new business that meets the specified agency criteria would be required to submit an HMBP. Complying with the environmental regulations as required by the United States Environmental Protection Agency, the State of California, County of Riverside, and City of Riverside would minimize hazardous risks.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 41-G:

Buffer: The City of Riverside does not have a requirement for a 1,000-foot buffer between warehouses and other land uses, and the SCBPSP does not require a 1,000-foot setbacks. Refer to Response to Comment 41-A for a discussion regarding the Project's HRA and buffers.

The proposed Project has incorporated design features to create additional landscape screening (refer to Response to Comment 41-A) as well as limiting air quality and noise impacts by not allowing dock doors on Building 2 adjacent to the residences to the north and restricting vehicles exiting the Project site to right-turns only onto Lance Drive so that outbound vehicles cannot use Dan Kipper Drive and are directed away from the residential areas to the north.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Height: The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) As set forth in the Riverside Municipal Code Chapter 19.130, development in the BMP-SP zone cannot exceed 45 feet in height. (DEIR, p. 5.1-11.) The proposed Project would comply with the height restriction in the BMP-SP because Building 1 is proposed to be approximately 41 feet in height and Building 2 will be approximately 37 feet. Building 1 is also located downslope from and south of Building 2 and is not expected to be visible from the residences north of the Project site. Additionally, Building 1 is setback approximately 256 feet from the Sycamore Canyon Wilderness Park and views of the building from the park will be softened by on-site landscaping and the Conservation Area.

The northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site. Within the 100-foot setback, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and a 6-foot wide landscape area adjacent to Building 2. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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Comment Letter 42 – Karen Wright

Date: 11-1-16

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Item No.: 12

FW: [External] Karen Doris Wright Comment for Nov 1 Riverside City Council evening public comments, and AGAINST PUSHING THROUGH GIGANTIC WAREHOUSES prior to Guidelines being completed Warehouse item on the Riverside Planning Board/Commission meeting on No

-----Original Message-----

From: K Wright [mailto:twodogkd@yahoo.com]

Sent: Tuesday, November 01, 2016 11:53 AM

To: Melendrez, Andy <ASMelendrez@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Burnard, John <JBurnard@riversideca.gov>; Alicia Robinson <arobinson@pe.com>; Gardner, Mike <MGardner@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Davis, Paul <PDavis@riversideca.gov>; Bailey, Rusty <RBAiley@riversideca.gov>; Morton, Sherry <SMorton@riversideca.gov>

Cc: twodogkd@yahoo.com

Subject: [External] Karen Doris Wright Comment for Nov 1 Riverside City Council evening public comments, and AGAINST PUSHING THROUGH GIGANTIC WAREHOUSES prior to Guidelines being completed Warehouse item on the Riverside Planning Board/Commission meeting on Nov...

TO City Council and other

From Karen Doris Wright

See title

I am STONGLY AGAINST THIS PROJECT below being PUSHED at a Nov 3 Planning meeting before the guidelines are developed and am against any such project within 2000 feet of housing development or any park.

42-A

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Meeting Name: Planning Commission Agenda status: Final Meeting date/time: 11/3/2016 9:00 AM Minutes status: Draft Meeting location: Art Pick Council Chamber 2,140th Meeting

16-3162 1 4 PC - P14-1072 - 11-3-16 Board/Commission PLANNING CASES P14-1072, P14-1081, P14-1082, P16-0101, P16-0102, AND P16-0103: Proposal by Hillwood Enterprises L.P. and The Magnon Company to consider an Environmental Impact Report for the construction of two industrial warehouse buildings, Building 1 (1,012,995 square feet) and Building 2 (352,174 square feet), to operate as a distribution center. This proposal involves the following entitlements: 1) an amendment to the General Plan Circulation Element and to the Sycamore Canyon Business Park Specific Plan Circulation Plan to remove planned but unconstructed streets; 2) Tentative Parcel Map No. 36879 to consolidate 17 parcels into two parcels; Minor Conditional Use Permit to permit industrial buildings greater than 400,000 square feet in area; 3) Design Review of a plot plan and building elevations for the construction of two distributions centers and on-site improvements; and 4) Grading Exceptions for creation of slopes in excess of 20 feet in height and Variance to allow fewer parking spaces than required by the Zonin Code. This 76-acre property is located on the west side of No

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<https://riversideca.legistar.com/LegislationDetail.aspx?ID=2865459&GUID=3009DD36-1CCF-46CB-B1BA-8286FF240410&Options=&Search=>

File #: 16-3162 Version: 1 Name: PC - P14-1072 - 11-3-16

Type: Board/Commission Status: Agenda Ready File created: 10/18/2016 In control: Planning Commission
On agenda: 11/3/2016 Final action:

Title: PLANNING CASES P14-1072, P14-1081, P14-1082, P16-0101, P16-0102, AND P16-0103: Proposal by Hillwood Enterprises L.P. and The Magnon Company to consider an Environmental Impact Report for the construction of two industrial warehouse buildings, Building 1 (1,012,995 square feet) and Building 2 (352,174 square feet), to operate as a distribution center. This proposal involves the following entitlements: 1) an amendment to the General Plan Circulation Element and to the Sycamore Canyon Business Park Specific Plan Circulation Plan to remove planned but unconstructed streets; 2) Tentative Parcel Map No. 36879 to consolidate 17 parcels into two parcels; Minor Conditional Use Permit to permit industrial buildings greater than 400,000 square feet in area; 3) Design Review of a plot plan and building elevations for the construction of two distributions centers and on-site improvements; and 4) Grading Exceptions for creation of slopes in excess of 20 feet in height and Variance to allow fewer p...

Attachments:

1. Report,
2. Report Exhibits 3- 8,
3. Report Exhibit 9 - Building Elevations, 4. Report Exhibit 9 - Conceptual Landscape Plan, 5. Report Exhibit 9 - Grading Exceptions Plan, 6. Report Exhibit 9 - Line of Site, 7. Report Exhibit 9 - Photo Simulations, 8. Report Exhibit 9 - Preliminary Grading Plan, 9. Report Exhibit 9 - Site Plan, 10. Report Exhibit 9 - Tentative Parcel Map, 11. Report Exhibits 10 - 12, 12. Report Exhibit 13a - Comment Letters, 13. Report Exhibit 13b - Comment Letters, 14. Report Exhibit 14 - Draft EIR, 15. PowerPoint

See report

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Karen Doris Wright

cc: Mayor
City Council
City Manager
City Attorney
ACMs
C&ED Director

Response to Comment Letter 42 – Karen Wright

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2013, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 42-A:

This comment does not address the adequacy of the DEIR or raise any environmental issues. Section 15088 of the CEQA Guidelines states, “the lead agency shall evaluate comments on environmental issues received from persons who reviewed the DEIR and shall prepare a written response.” (Emphasis added.) Where a commenter submits comments that do not raise environmental issues, there is no requirement under CEQA that the City respond (*ibid.*; see also *Cleary v. County of Stanislaus* [1981] 118 Cal.App.3d.348 360 [holding that a Final EIR was adequate under CEQA where it did not respond to comments raising non-environmental issues]). The public will have an opportunity to comment on the merits of the Project itself at a Planning Commission hearing and at a City Council hearing. Notice of the Planning Commission and City Council hearings on this Project will be published at least 10 days prior to the hearing date in accordance with relevant provisions of the Government Code. The agenda for City Planning Commission and City Council hearings can be found at: <http://riversideca.legistar.com/Calendar.aspx> This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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Comment Letter 43 – Sherri Aurich-Hardy

43

Distributed at Planning Commission
November 3, 2016

Agenda Item: 4
P16-0101, P16-0102, P14-1082, p16-0103, P14-1081, P14-1072

-----Original Message-----

From: Sherri Aurich-Hardy [mailto:seah5923@sbcglobal.net]
Sent: Wednesday, November 02, 2016 12:27 PM
To: Morton, Sherry <SMorton@riversideca.gov>
Subject: [External] Regarding Mega-Warehouse meeting on November 3, 2016

To Whom it May Concern:

This e-mail is for the City Planning Commission. I am sending this in case I am not able to go to the meeting tomorrow.

My concern is that there are already too many trucks on Sycamore Canyon Blvd. heading down into Riverside during to and from work hour traffic time. Not that long ago, my car and other cars had to merge with an 18-wheeler into one lane near Raceway Ford (just east of intersecting with Fair Isle), then it opens into two lanes again.

43-A

Also, I have witnessed at least once, multiple trucks lined up in the right hand lane, stopped, waiting to go into their distribution center, which leaves only one lane for on-going traffic.

43-B

If you look on the freeway near Fair Isle on/off ramp, you will many, many, many trucks going down the freeway hill into Riverside.

43-C

Also, I firmly believe, residents with backyards facing all these warehouses, will detract from the value of the home, and make it harder to sell their home. Who wants to live with a warehouse next door?

43-D

I am not for any more warehouses being built in our area. There are way too many trucks at present.

43-E

Thank you for your consideration.

Sherri Aurich-Hardy
Abernathy Drive
Sycamore Highlands Resident
seah5923@sbcglobal.net

Sent from my iPad

Response to Comment Letter 43 – Sherri Aurich-Hardy

This comment letter was received after the close of the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the State CEQA Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of August 10, 2016, to September 23, 2016, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included in the Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 43-A:

The Project DEIR analyzed impacts from truck trips generated by the Project, and specifically evaluated existing and projected truck traffic along Sycamore Canyon Boulevard. Sycamore Canyon Boulevard is a major north-south street within the Sycamore Canyon Business Park. Designated as a 106-foot wide thru-way in the Sycamore Canyon Business Park Specific Plan (SCBPSP), the road has been designed to accommodate truck traffic. The study area of the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA), which is DEIR Appendix J, included six intersections along Sycamore Canyon Boulevard as well as the Sycamore Canyon Boulevard Interstate 215 (I-215) Southbound (SB) off-ramp. **(DEIR Figure 5.16-1 – Study Area; DEIR, p. 5.16-4.)** All intersections and the I-215 SB Sycamore Canyon Boulevard off-ramp currently operate at an acceptable level of service (LOS) in the existing condition.

The following table presents the existing average daily traffic (ADT) and the Project-generated ADT by vehicle type for Sycamore Canyon Boulevard from the I-215 SB ramps to Eastridge Avenue.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	625	335	4	5	14	23
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	605	372	8	10	28	46

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	585	223	4	5	14	23
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	515	223	4	5	14	23
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	505	1120	148	198	526	872

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA.

Based on the table above, there are more truck trips in the existing conditions without the Project at Fair Aisle Drive off ramps than Eastridge Avenue; however, there are more 2-axle (light duty) trucks utilizing Fair Isle Drive than Eastridge Avenue. The heavier duty trucks (3-axle and 4-axle) are utilizing Eastridge Avenue. The Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

As indicated by the analysis in the TIA and DEIR, although the Project will introduce new passenger and truck trips to Sycamore Canyon Boulevard, Project-related traffic will not result in a significant degradation of LOS for this roadway.

With respect to the existing condition of trucks using Fair Isle Drive for any reason other than to turn onto Sycamore Canyon Boulevard, Chapter 10.56 of the Riverside Municipal Code prohibits the use of Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard between El Cerrito Drive and University Drive, by commercial vehicles exceeding ten thousand pounds (5 tons) gross weight. Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in locations where these restrictions are in place may call 311 to report the incident. The 311 call will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 43-B:

Due to existing warehouse and logistics center developments within the SCBPSP, there is currently truck traffic on streets in the Project vicinity which may lead to trucks waiting to turn along Sycamore Canyon Boulevard. However, all intersections within the study area of the TIA

prepared for the Project currently operate at an acceptable level of service (LOS) in existing conditions. (DEIR, **Table 5.16-C.**)

Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 43-C:

Please see Response to Comments 43-A and 43-B.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 43-D:

The commenter's concern regarding loss of property values is noted. It is also noted that this comment does not provide any evidence to support the speculation that the neighborhood will turn into low-end rentals if the Project is approved. In accordance with CEQA Guidelines § 15358(b), impacts to be analyzed in the EIR must be "related to physical changes" in the environment, not economic conditions. CEQA Guidelines § 15131(a) does not require an analysis of a project's social or economic effect because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.

With regard to economic impacts, Section 15093(a) of the State CEQA Guidelines requires the City to balance, as applicable, the economic, legal, social, technological, or other benefits, of the proposed Project against its unavoidable environmental risks in determining whether to approve the Project. If these benefits outweigh the unavoidable adverse environmental effects, the City may consider the adverse environmental effects to be acceptable. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 43-E:

This comment does not address the adequacy of the DEIR or raise any environmental issues. Section 15088 of the CEQA Guidelines states, "the lead agency shall evaluate comments on environmental issues received from persons who reviewed the DEIR and shall prepare a written response." (Emphasis added.) Where a commenter submits comments that do not raise environmental issues, there is no requirement under CEQA that the City respond (*ibid.*; see also *Cleary v. County of Stanislaus* [1981] 118 Cal.App.3d.348 360 [holding that a Final EIR was adequate under CEQA where it did not respond to comments raising non-environmental issues]). The public will have an opportunity to comment on the merits of the Project itself at a

Planning Commission hearing and at a City Council hearing. Notice of the Planning Commission and City Council hearings on this Project will be published at least 10 days prior to the hearing date in accordance with relevant provisions of the Government Code. The agenda for Planning Commission and City Council hearings can be found at:
<http://riversideca.legistar.com/Calendar.aspx>

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Comment Letter 44 – Maureen Clemens

44

Distributed at Planning Commission
November 3, 2016

Agenda Item: 4
P16-0101, P16-0102, P14-1082, p16-0103, P14-1081, P14-1072

-----Original Message-----

From: Maureen Clemens [mailto:maureenclemens@att.net]
Sent: Wednesday, November 02, 2016 10:33 AM
To: Morton, Sherry <SMorton@riversideca.gov>
Subject: [External] City Planning Commission meeting 11/3/16

Re: Mega Warehouses in the Sycamore Canyon directly in back of residents homes.

The residents of Sycamore Highlands have reviewed the draft EIR prepared by WEBB Associates. We find there are a number of errors in the methods utilized to acquire data in the modeling performed to interpret data and in the analysis of the data required.

44-A

The air quality for one will be significantly impacted according to the report by the South Coast Air Quality Mangement District. Does this not mean something when considering 917 more Semi-Trucks added to the already enormous amout of trucks in the vicinity. These will be added to the already 24/7 movement and constant noise. The constant slamming of trucks hitching to trailers and the beep beep of backing up is already interrupting a nights sleep and this is heard in the entire community not just those in close proximity. Sound carries in this hill top community whether the wind is blowing or there is cloud cover. These are serious issues not to be taken lightly.

44-B

Response to Comment Letter 44 – Maureen Clemens

Note: This is the fourth comment letter from Ms. Clemens. She is also the author of Comment Letters 6, 10, and 11. This comment letter raises the issue of air quality and noise, which were raised in the other comment letters.

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 44-A:

Comment noted. The commenter does not identify the alleged errors in the methods used for data collection or in the modeling. This comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, §15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report (DEIR).

Response to Comment 44-B:

Air Quality: The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-

related emissions and compared estimated emissions to the SCAQMD thresholds using methodologies and models set forth by the SCAQMD.

The DEIR did analyze impacts related to air quality from the construction (short term) and the operations (long term) of the Project. The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO_x) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures. (DEIR, pp. 5.3-26, 5.3-30, 5.3-35–5.3-40.) Hence, the DEIR determined that regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable. The DEIR found that a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

Noise: Construction noise of up to 80 dBA L_{eq} at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA L_{eq} and the standard for public recreational facilities of 65 dBA L_{eq}. (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the greatest extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.)

MM NOI 1: To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

MM NOI 2: To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

MM NOI 3: During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

MM NOI 4: All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

MM NOI 5: All construction equipment shall be shut off and not left to idle when not in use.

MM NOI 6: All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

MM NOI 7: The use of amplified music or sound is prohibited on the Project site during construction.

MM NOI 8: Haul truck deliveries shall be limited to the same hours specified for construction equipment.

MM NOI 9: It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

MM NOI 10: Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

MM NOI 11: For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

MM NOI 12: No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Subsequent to preparation of the DEIR, on August 18, 2016, the City of Riverside City Council adopted Ordinance 7341 amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

Noise levels from Project operation (i.e back up beeps and hitching/unhitching trailers), according to the modeling in the DEIR, will not exceed the City's daytime residential exterior noise standard of 55 dBA L_{eq} at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce

noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

MM NOI 13: To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system.

MM NOI 14: To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

MM NOI 15: A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation**.

MM AQ 14: Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, the DEIR found noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA L_{eq} at these two residences. (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation**.)

MM NOI 16: Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the property owners will authorize the installation per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner authorizing the installation, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Comment Letter 45 – Rincon Band of Luiseño Indians

45

RINCON BAND OF LUISEÑO INDIANS Cultural Resources Department

1 W. Tribal Road · Valley Center, California 92082 ·
(760) 297-2635 Fax:(760) 749-2639



RECEIVED

OCT 31 2016

Community & Economic
Development Department

October 21, 2016

Patricia Brenes
City of Riverside
Community & Economic Development Department
Planning Division
3900 Main Street
Riverside, CA 92501

Re: P14-1072, P14-1081, P14-1082, P16-0101, P16-0102, and P16-0103

Dear Ms. Brenes:

This letter is written on behalf of Rincon Band of Luiseño Indians. We have received your notification regarding the P14-1072, P14-1081, P14-1082, P16-0101, P16-0102 and P16-0103 Projects and we thank you for the consultation notification. The location you have identified is within the Territory of the Luiseño people.

Embedded in the Luiseño Territory are Rincon's history, culture and identity. The project is within the Luiseño Aboriginal Territory of the Luiseño people however, it is not within Rincon's Historic Boundaries. We do not have any additional information regarding this project but, we defer this project to the Pechanga Band of Luiseño Indians or Soboba Band of Luiseño Indians who are located closer to your project area.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Vincent Whipple
Manager
Rincon Cultural Resources Department

45-A

Bo Mazzetti
Tribal Chairman

Stephanie Spencer
Vice Chairwoman

Steve Stallings
Council Member

Laurie E. Gonzalez
Council Member

Alfonso Kolb
Council Member

Response to Comment Letter 45 – Rincon Band of Luiseño Indians

Note: The second comment letter from the Rincon Band of Luiseño Indians; they are the author of Comment Letter 1. This comment letter is similar to Comment Letter 1.

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 45-A:

See Response to Comment 1-A. In summary, the City engaged in consultation with the Pechanga Band of Luiseño Indians, the Soboba Band of Luiseño Indians, and the Morongo Band of Mission Indians pursuant to Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18). (DEIR, pp. 5.5-18–5.5-20.) This comment does not identify any significant new environmental issues or impacts not already addressed in the Draft Environmental Impact Report.

Comment Letter 46 – Riverside County Flood Control & Water Conservation District

46

JASON E. UHLEY
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

208323
SKM bnd

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

October 25, 2016

RECEIVED

OCT 31 2016

Community & Economic
Development Department

City of Riverside
Planning Department
3900 Main Street
Riverside, CA 92522

Attention: Patricia Brenes

Re: PM 36879, P14-1072, P14-1081, P14-1082,
P16-0102, P16-0103

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

46-A

The District has not reviewed the proposed project in detail and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

46-B

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

46-C

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

46-D

Very truly yours,

HENRY OLIVO
Engineering Project Manager

c: Riverside County Planning Department
Attn: Kristi Lovelady

Response to Comment Letter 46 – Riverside County Flood Control & Water Conservation District

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 46-A:

The City appreciates the Riverside County Flood Control Districts’ (District) review of the Draft Environmental Impact Report (DEIR) and notes that this Project would not be impacted by the District’s Master Drainage Plan facilities; nor are there facilities of regional interest proposed. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 46-B:

Comment noted. Since the Project would disturb more than 1 acre of land, the Project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) Statewide General Construction Permit (Order No. 09-09-DWQ). The permit requires preparation of an effective Storm Water Pollution Prevention Plan (SWPPP), which describes erosion and sediment control best management practices (BMPs) to prevent stormwater pollution during construction. The SWPPP will be prepared by a qualified SWPPP developer and implemented onsite by a qualified SWPPP practitioner. (DEIR, p. 5.9-22.) Additionally, in accordance with the County of Riverside Municipal Separate Storm Sewer System (MS4) NPDES Permit, all new construction is required to implement permanent BMPs, such as water quality basins, vegetated swales, and other stabilization measures to minimize the potential for erosion and related impacts to water quality. For projects that are not served by an existing city storm drain system and must discharge stormwater to natural water features, the cities and Regional Water Quality Control Board (RWQCB) require that each project retain stormflows such that the amount of stormwater discharged from the basin does not exceed pre-existing conditions to downstream erosion. The proposed Project and much of the *Sycamore Canyon Business Park Specific Plan* area will drain to an existing 120-inch storm drain in Eastridge Avenue prior to discharge into a series of regional marshes, which will reduce off-site erosion. Clearance for grading, recordation or other final approval would not be given until the City has

received evidence that a NPDES Permit has been granted. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 46-C:

Comment noted. The Project site is not located within a Federal Emergency Management Agency (FEMA) mapped floodplain. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 46-D:

Comment noted. The Project site contains three jurisdictional features, as detailed in Section 5.4 (Biological Resources) of the DEIR. Mitigation Measure **MM BIO 5** requires the following (DEIR, p. 5.4-31):

MM BIO 5: Prior to any ground disturbing activities within jurisdictional waters, the Project proponent shall obtain the necessary authorization from the regulatory agencies for proposed impacts to jurisdictional waters. Impacts to jurisdictional waters shall require authorization by the corresponding regulatory agency. Authorization may include, but is not limited to, a Section 404 permit from the U.S. Army Corps of Engineers, a Section 401 Water Quality Certification from the local Regional Water Quality Control Board, and Section 1602 Streambed Alteration Agreement from California Department of Fish and Wildlife. Project-specific impacts to jurisdictional waters shall be mitigated by the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and the Regional Water Quality Control Board, where applicable.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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Comment Letter 47 – SoCalGas

47



Estefania Sanchez
Program Assistant 3

9400 Oakdale Blvd
Chatsworth, CA 91311

ESanchez5@SEUContractor.com

December 8, 2016

City of Riverside
Community & Economic
Development Department
Planning Division
3900 Main Street
Riverside, CA 92501

Email: Patricia Brenes - pbrenes@riversideca.gov

Subject: Notice of Public Hearing
Applicant: Hillwood Enterprises L.P. and the Magnon Company
Project Location: Northwest corner of Sierra Ridge Drive and Lance Drive

DCF: 1771-16NC1288

The Transmission Department of SoCalGas does not operate any facilities within your proposed improvement. However, SoCalGas **Southeast** Distribution Region may maintain and operate facilities within your project scope.

47-A

To assure no conflict with the **Southeast** Distribution's pipeline system, please contact them at (714) 634-5067.

Sincerely,

Estefania Sanchez
Program Assistant 3
ESanchez5@SEUContractor.com

December 8, 2016

1 of 1

Response to Comment Letter 47 – SoCalGas

Note: This is the second comment letter from SoCalGas. It is identical to Comment Letter 2, which was received from SoCalGas on August 15, 2016.

Response to Comment 47-A:

As discussed in Response to Comment 2-A, the Applicant has contacted the Southeast Distribution Division of SoCalGas and received confirmation from SoCalGas¹ that the Project will not conflict with SoCalGas' existing pipeline facilities in the area and, as such, no changes are needed to the proposed Project.

The City appreciates SoCal Gas' review of the Draft Environmental Impact Report (DEIR) and notes that there are no facilities within the Project Site.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

¹ Confirmation was provided via email from Randolph Darnell on November 9, 2016.

Comment Letter 48 – Roberto Passoni

From: robertopassoni@sbcglobal.net [mailto:robertopassoni@sbcglobal.net]
Sent: Tuesday, December 13, 2016 9:17 PM
To: Brenes, Patricia <PBrenes@riversideca.gov>
Cc: Alec Gerry <alec.gerry@ucr.edu>
Subject: [External] Response: Opposition to the Proposed Mega-Warehouses

48

Dear Ms. Patricia Brenes,

After reviewing the detailed response regarding the proposed project, I feel as though my concerns have not been addressed, and as such I am requesting further clarification.

48-A

1. Comment 24-E: Comment regarding aesthetic effect.

It is obvious that when I discussed the negative aesthetics, I was referring to the fact that there are features on the existing warehouses that have already had a negative influence on the aesthetic of the residential properties. This is in-fact a recent and clear example of how the proposed project will continue to negatively affect the aesthetics of the neighborhood.

Although different, this project will be constructed with the same typology in mind and will be used for same activity as the existing warehouses. It will also be approved by the same department as the previous warehouses. Thus, results will remain the same: the aesthetic value of some of the residential properties will be destroyed.

The response provided stating that cannot consider the negative aesthetic features that the previous warehouses have had on the neighborhood, is not a valid response, rather it appears that you are attempting to avoid the discussion.

2. Comment 24-G: Comment regarding financial impact.

It is a mistake not to consider the negative affect that this proposed warehouse will have on the value of our houses. The values of our houses will drop significantly, as was evident in the houses sold after the implementation of the most recent warehouse. This has a clear and direct effect on the quality of life of the Riverside Sycamore Highland residents. It should be the city of Riverside's first priority to ensure that the quality of life for Riverside residents is assured. However, it appears as though Community and Economic Development Department: Planning Division is an independent entity and does not care about making the quality of life for the Riverside residents a priority. I urge that the department work as an advocate for us, instead of working against us.

48-B

3. Comment 24-A through 24-D: Comment regarding noise level.

The current noise level deriving from the existing warehouses is extreme and cannot be used as a baseline to determine the current level of background noise. In other words, due to the existing noise, it is clear that adding new warehouses would increase the noise level to a minimal amount. However, due to the fact that the current noise level is unacceptable, it must be resolved before calculating the effects of the noise produced by the proposed warehouses. Any additional noise level must be prevented, as the current noise level is already intolerable.

48-C

The proposed solutions to mitigate the noise resulting from the construction do not

48-D

<p>adequately address the long-term issues. It is evident that there are many flaws to this proposed warehouse from the very beginning. As a resident of Riverside Sycamore Highland, I do not feel confident that the proposed solutions to mitigate the noise during construction or operations will be satisfactory. Instead, I think it will only create more disturbances and stressors.</p>	↑ 48-D cont.
<p>Every night at 9 PM Eastridge Ave seems to be a private parking lot for trucks with their engines running, waiting their turn to enter Ralph distribution center. And inside hundreds of trailers are parked in an open space most of them with refrigeration units hook up to external electrical outlet and backing up three times before completing their loads (example of noise: Beep...Beep...Beep...Beep...Beep).</p>	48-E
<p>Both I and the residents in Sycamore Highland have called to make several complaints regarding the current disruptions, yet not action has been taken, therefore how can you guarantee the rules put in place will be implemented to the fullest? Therefore I do not feel confident that the mitigation solutions proposed will be followed-through.</p>	48-F
<p>The DEIR has a nice chapter on noise level but unfortunately it is confusing and unclear. a. It starts defining decibel measurements (CNEL, Ldn, Lmax) but then most of the symbols refers to different units, such as Leq, Lmax G, LminD, and even the city code listed decibel but only related to a generic max level of noise. Not all the time it is clear what to compare to understand limitations.</p>	48-G
<p>The existing noise level definition does not make sense (on page 5.12-5 of the DEIR). According to the report, it states absurdities such as, "predominant noise sources are [...] barking dogs, construction activity." Then a few sentences later it describes barking dogs as "occasional noise." This is unclear to the readers, including myself.</p>	
<p>Let me attempt to be as clear as possible. I as a resident for the past 16 years have never been awoken in the middle of the night by what the report describes as "predominant noise." Instead, I am awoken every night by the noise that comes from the industrial land uses, which ironically enough the report describes as "occasional."</p>	
<p>In order to provide you with some factual information, I have decided to test this out myself. It cannot be defined professional but results requires some consideration.</p>	
<p>The very rare times that the existing activities are quiet, the surrounding noise level from the open window of my bedroom (6071 Bannock Dr, facing the Sycamore Park) is approximately Leq=27 to 29 dB at 10PM. With activities in operation it goes to up to 42 to 48 dB with an average from 10PM to 8AM of approximately 44 dB. The corresponding Lmax is typically 8 to 9 dB higher than the related Leq. Stating that the noise created by the existing activities as "occasional" is a clear false statement that needs to be corrected. The current statement hides the fact that the existing activities are producing excessive noise, which residents have reported numerous times but such complaints have not been dealt with by the city. In addition, it lowers the impact the noise produced from the new proposed activities would have in the community. Before proceeding with this kind of test analysis the City of Riverside should intervene to force the existing activities to reduce the noise they are generating to a maximum of 2 to 3 db above the normal real surrounding noise.</p>	
<p>b. The DEIR show results of a simulation that is also unclear. The simulation results are only valid if the input data and constraints are properly accounted for. Even assuming that the geometrical and physical properties are correct, the final results could be targeted by a wrong localization of the noise sources, their values and background noise level. So it is not clear why no noise sources are located only on the West-side of Building 1 but only on the North-side of Building 2 right under the proposed noise adsorbing wall and on Southeast corner of Building 1, which is, from our neighborhood, the farthest and behind the building itself. The unprotected area at the west side of Building 1 is mysteriously quiet for that simulation.</p>	48-H
<p>Also it is not clear the effect of back-up beepers. Right now these are producing a noise jump of 7-10 dB of the Leq bringing at night the Lmax even over 50 Db but then I see impossible very low values on Table 5.12-7 of the report unless the noise is for the beeper only and therefore a useless value. The noise source is defined as a 67.9 DbA at 10 feet. Is this correct? For sure this is not the right number if the estimated noise will be similar to the one produced by the Ralph distribution center activities with their hundreds of trailers moved around.</p>	
<p>So in my opinion the simulation is far away from representing any future noise prediction. A multiple different locations of the noise source and a higher number of the produced noise should be used to determine the real worse possible scenario.</p>	
<p>4. Conclusion In conclusion, the proposed solutions to the proposed warehouses do not adequately address the pertinent issues that will result from them. The DEIR report is confusing and so are the mitigation solutions.</p>	48-I

Noise coming from existing activities is excessive and has to be reduced before proceeding to the comparative test. The proposed noise reduction solutions do not make sense.

48-J

Beeper kept 5 db higher than surrounding noise? At what distance? At any surrounding noise?

48-K

Trucks not equipped with noise reduction instrument are forbidden to enter? Based on what law? Who is going to enforce it? What are the penalties? And next door warehouse are free to operate?

Trailers with refrigeration units are to be hooked up to external electrical power? Quantity is not addressed. We are adding hundreds to hundreds and compressors running them are not quiet.

48-L

Two properties will cooperate to develop the best wall? Cooperate or forced? And the others including the one are already suffering? Sorry again I made a mistake to refer to an existing one year old project of the same development.

Remedies proposed for construction period? That is really the smallest of the problem but it is addressed in very details.

48-M

I think the city of Riverside has wasted resources and (our) money to present "solutions" that are only saying "trust us the new constructions will be fine".

48-N

Somehow I always thought that The Community and Economic Development Department: Planning Division would have had more of a consideration of the impact that the existing warehouses have on the environment and on the lives of the residents in Riverside.

It would be unjust to ignore the valid concerns that we, as the residents of Riverside, are sharing with you.

Sincerely,

Roberto Passoni

Sycamore Highland resident

Click [here](#) to report this email as spam.

Response to Comment Letter 48 – Roberto Passoni

Note: This is the second comment letter from Mr. Passoni; he is also the author of Comment Letter 24. This comment letter raises issues of aesthetics, air quality, and noise. Aesthetics and noise were raised as issues in Mr. Passoni's previous letter.

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, "the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public's request.) Accordingly, nothing in CEQA "requires the lead agency to respond to comments not received within the comment periods" (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 48-A:

As stated in Response to Comment 24-E, the existing warehouses are separate and independent from the proposed Project and were each approved by the City after undergoing their own environmental review process that included analysis of potential aesthetic and other impacts. The commenter's opinion that existing warehouses have already had a negative influence on the aesthetic of the residential properties is noted.

The comment makes the following statement "The response provided stating [sic] that cannot consider the negative aesthetic features from the previous warehouses have had on the neighborhood is not a valid response, rather it appears that you are attempting to avoid the discussion." Response to Comment 24-E does not state or even imply that the existing warehouse may not be considered. The last sentence of the first paragraph of Response to Comment 24-E states:

The existence of the CT Sycamore Center Project warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas, emissions, noise, traffic, and cumulative impacts sections. (FEIR, p. 2.24-9.)

The discussion of aesthetic impacts is not avoided as asserted by the comment. The DEIR contains a thorough analysis of aesthetic impacts. The existing visual character of the area surrounding the Project site is the basis for this analysis because it is the change in the aesthetics of the area resulting from the proposed Project that is evaluated in Section 5.1 – Aesthetics of the Draft Environmental Impact Report (DEIR). In describing the visual character of the Area surrounding the Project site, the DEIR states:

The area surrounding the Project site is typified by varied topography intermixed with graded/disc'd and developed land. The Sycamore Canyon Wilderness Park is west of the Project site. This natural open space park is characterized by rugged terrain, with granitic outcroppings, streambeds, and steep drainages. The Box Springs Mountains are located northeast of the Project site and are visible from the Project area. The Sycamore Canyon Wilderness Park and the peaks of Box Springs Mountain are considered notable scenic vistas for the City (GP 2025 FPEIR, 5.1-2). (DEIR, p. 5.1-2.)

The Sycamore Canyon Business Park, where the Project site is located, is primarily characterized by large-scale light industrial uses, which includes warehouses and distribution centers. Construction was recently completed for five light industrial buildings encompassing approximately 230,420 square feet of office space and warehouse use¹ north of Dan Kipper Drive between the Project site and Sycamore Canyon Boulevard. Existing single-family and multi-family residential uses, within the *Sycamore Highlands Specific Plan* area, are located immediately north and northwest of the Sycamore Canyon Business Park. (See **Figure 5.1-1 – Surrounding Area.**) (DEIR, p. 5.1-2)

With regard to whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings (DEIR Threshold C), the DEIR states:

The proposed Project will change the Project site from vacant property with rolling terrain and a drainage feature into a modern logistics center with two buildings, paved surfaces, manufactured slopes, perimeter walls and fencing, a trail, Fire Access/Parks Maintenance Road, and a permanent Mitigation Area, which represents a change from the existing textures, colors, and forms of the Project site in its undeveloped state. However, the proposed Project is being developed as intended per the GP 2025, the *Sycamore Canyon Business Park Specific Plan*, and the Zoning Code. As previously discussed, there are no unique visual resources at the Project site. The Project site contains areas of illegally-dumped materials near the current northern terminus of Lance Drive and at other locations throughout the site, which creates a visual blight in the area. Implementation of the Project will remove these materials and eliminate this nuisance. The site will be developed with manicured landscaping and logistics structures that will be designed, as mitigated, with aesthetic treatments intended to be visually attractive with the use of color and architectural articulations. The area surrounding the Project site to the northwest and north is residential, and the areas to the east and south are developed with industrial, manufacturing, and warehousing center uses. The Sycamore Canyon Wilderness Park is located to the west of the Project site. The residences adjacent to the Project site currently have a view of existing industrial areas to

¹ Refer to City Planning Cases P14-1053 and P14-1054.

the south and east of the proposed Project. Some of the homes to the west of the Project site have limited views of the Sycamore Canyon Wilderness Park. (DEIR, p. 5.1-13.)

[...]

...construction of the Project would change the foreground views of the Project site from vacant land with an ephemeral drainage to a developed condition consisting of landscaping and two concrete tilt-up buildings with associated vehicle and trailer parking consistent with the types of uses permitted by the GP 2025, *Sycamore Canyon Business Park Specific Plan*, and Zoning Code. The Project's proposed Mitigation Area will relocate and revegetate the existing ephemeral drainage; thus the visual quality of that feature will be retained and relocated to the western portion of the Project site. (See **Figure 3-10 – Conceptual Landscape Plan**). Because the proposed Project's buildings will be consistent with other large-scale logistics and industrial uses adjacent to the east and south of the Project site, as well as industrial uses visible in the distance, the proposed Project will not introduce a new type of use or new type of construction to the Project area. Once constructed the Project will remove the remnants of prior uses (i.e. the rocks) and eliminate the illegal dumping that has occurred. For these reasons, Project development will not substantially degrade the existing visual character or quality of the Project site or its surroundings. Nonetheless, to minimize the appearance of the Project and ensure the Project is consistent with the Zoning Code, the Trails Master Plan, the Park and Recreation Master Plan, the *Sycamore Canyon Business Park Specific Plan*, and the *Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat Management Plan and Updated Conceptual Development Plan*, several mitigation measures are included in Section 5.1.6. (DEIR, p. 5.1-27.)

The Project will implement the following the following mitigation measures to reduce potential aesthetic impacts to less than significant.

MM AES 1: To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval. (DEIR, pp. 5.1-31–5.1-32.)

MM AES 2: For consistency with the Sycamore Canyon Wilderness Park Management Plan, the Project developer shall install fencing along the western boundary of the Project site. The fence and gate shall be constructed per the specifications of the City of Riverside Parks, Recreation, and Community Services Department Standard Detail No. 5520 and specifications. If the developer chooses to install a taller fence, a maximum 8-foot high fence is permitted. Note that increased fence height may require increased post, footing and rail sizes, which shall be engineered and stamped approved by a structural engineer. As part of Design Review and prior to the issuance of a grading permit, the developer shall submit a revised site plan showing this fence, the modified standard detail (if a fence taller than 8 feet is proposed), and specifications to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval. (DEIR, p. 5.1-32.)

MM AES 3: If the Project developer wants to construct a private 8-foot tall tubular steel fence along the northern boundary of the trail, such fence shall be installed a minimum of three-feet from the edge of the trail and clear of the Fire Access/Parks Maintenance Road easement. If the Project developer chooses to construct said private fence, as part of Design Review and prior to the issuance of a grading permit the developer shall submit a revised site plan showing this fence as a separate graphic fence line and a materials board showing the proposed design and materials to the Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval. If the Project developer chooses not to construct this private fence, this mitigation measure does not apply. (DEIR, p. 5.1-32.)

MM AES 4: In order to screen views of the parking lot, loading docks, and trailer parking areas from the public right-of-way, the on-site fencing securing the trailer parking areas and the metal, manual operated gates that permit access to these areas shall incorporate an opaque layer (i.e. mesh or screening) that will withstand wind loads of 85 miles per hour. As part of Design Review and prior to the issuance of a grading permit, a revised site plan and materials board showing the proposed screening shall be submitted to the Community and Economic Development Department, Planning Division for review and approval. (DEIR, p. 5.1-32.)

MM AES 5: To provide safe and controlled pedestrian and bicycle access to the Sycamore Canyon Wilderness Park in a manner consistent with the design and materials of the fence in mitigation measure **MM AES 2**, the Project developer shall:

- a. Construct the proposed trail and access gates consistent with the City of Riverside Parks, Recreation, and Community Services Department trail and gates details and specifications and subject to the review and approval by the City of Riverside Parks, Recreation, and Community Services Department, As part of Design Review and prior to the issuance of a grading permit, a revised

site plan that identifies this standard and shows the Parks, Recreation, and Community Services Department Standard Trail Construction detail shall be submitted to the Parks, Recreation, and Community Services Department for review and approval.

- b. Install a galvanized steel swing arm gate access gate that locks in the open and closed positions at the trail and parking lot driveway entry. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the detail for this gate and Standard Detail No. 5110 shall be submitted to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.
- c. Install pedestrian/bicycle gates between the trail and parking lot and the beginning of the trail and between the western terminus of the trail and the Sycamore Canyon Wilderness Park per the City's standard pedestrian/bicycle gate. These gates shall be minimum 4-feet wide and constructed of material to match Standard Detail No. 5520 identified in mitigation measure **MM AES 2**. The pedestrian/bicycle gates shall be lockable in the open and closed position. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the detail for these gates shall be submitted to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.
- d. Install Parks, Recreation, and Community Services Department Standard PVC trail fence along the northern side of the trail in-between the Fire Access/Parks Maintenance Road and along those portions of the southern side of the trail where the grade drops 3 feet or more. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that references the Standard 3-rail PVC fence detail only and includes Parks, Recreation, and Community Services Department Standard PVC trail fence shall be submitted to the Parks, Recreation, and Community Services Department for review and approval.
- e. Install Parks, Recreation, and Community Services Department standard trail sign at the Project's western property line and at the proposed parking lot on Lot B of Tentative Parcel Map 36879. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that includes a note that states "PRCSD standard trail sign" and Parks, Recreation, and Community Services Department standard trail sign detail 12 shall be submitted to the Parks, Recreation, and Community Services Department for review and approval. (DEIR, pp. 5.1-33–5.1-34.)

MM AES 6: To provide access for fire and parks maintenance vehicles consistent with the intent of the Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat

Management Plan and Updated Conceptual Development Plan, the Project developer shall:

- a. Design and construct the Fire Access/Parks Maintenance Road per the City of Riverside Fire Department requirements, including but not limited to, providing a 36,000 pound wheel load. As part of Design Review and prior to the issuance of a grading permit, the Fire Access/Parks Maintenance Road detail shall be submitted to the Community and Economic Development Department, Planning Division, the Parks, Recreation, and Community Services Department, and the City Fire Department for review and approval.
- b. Install vehicular gates between the vehicular access road on the south end of the Project site and the eastern terminus of the Fire Access/Parks Maintenance Road and between the western terminus of the Fire Access/Parks Maintenance Road and the Sycamore Canyon Wilderness Park. The vehicular gates shall be double galvanized steel swing arm gates a minimum of 12-feet in width and provided with a Knox padlock. The gates shall lock in the open and closed positions per Park Standard Detail No. 5110. The gate at the western property line shall be constructed to match Standard Detail No. 5520. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the details of these gates and Park Standard Detail No. 5110 shall be submitted to the Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval. (DEIR, p. 5.1-34.)

MM AES 7: To ensure there is adequate clearance for the fire vehicles, prior to building permit issuance the landscape plans shall be revised to relocate the trees shown on the trail and the Fire Access/Parks Maintenance Road such that all trees shall be setback from the trail and Fire Access/Parks Maintenance Road easements a minimum of 5 feet. Once planted, the developer shall maintain all trees such that a minimum 13.5-foot vertical clearance over the Fire Access/Parks Maintenance Road and a minimum 8.5-foot vertical clearance over the trail is provided and maintained. The revised landscape plans shall be designed per the City's Water Efficient Landscape and Irrigation Ordinance adopted on December 1, 2015 (<http://aquarius.riversideca.gov/clerkdb/0/doc/215696/Page1.aspx>). The revised landscape plans shall be reviewed and approved by City Design Review staff and Western Municipal Water District as part of Design Review prior to the issuance of a grading permit. (DEIR, p. 5.1-34.)

MM AES 8: To ensure that all roof-mounted equipment shall be adequately screened, prior to the issuance of a grading permit as part of the Design Review process, the proposed screening shall be reviewed and approved by Design Review staff. (DEIR, p. 5.1-35.)

MM AES 9: To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow. (DEIR, p. 5.1-35.)

MM AES 11: In order to avoid the appearance of a flat wall, as part of the Design Review process prior to the issuance of a grading permit, revised plans showing the incorporation of design features such as articulation and the use of color on the 14-foot-tall wall proposed along the east side of the truck parking and loading docks east of Building 1 shall be submitted for review and approval by Design Review staff. (DEIR, p. 5.1-35.)

To clarify that there will be no Project-related light spill onto the residential backyards north of the Project site, mitigation measure **MM AES 10** will be revised in the FEIR as follows:

MM AES 10: To ~~eliminate~~ reduce light spill and glow into the residential backyards to the north, lighting mounted on the north wall of Building 2 shall be placed on this wall as low as feasible to provide the required security lighting.²

The Project will also implement mitigation measure **MM HAZ 4** as shown below.

MM HAZ 4: The following additional MARB-required risk-reduction Project design features shall be incorporated into Project design:

- o The Project will not include:
 - Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an

² Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

- airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or FAA-approved obstruction lighting;
 - Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport;
 - Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area;
 - Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation; or
 - Although such uses are not anticipated, in Building 1: Children’s schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, places of assembly, noise sensitive outdoor nonresidential uses and hazards to flight are prohibited.
- Any outdoor lighting that is installed will be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. All outdoor lighting will be downward facing;
 - March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result;
 - No skylights will be included;
 - Exterior walls will consist of 8-inch-thick solid grouted, 4-hour rated concrete masonry;
 - Building roof will consist of structural steel columns and steel roof structure framing elements, including structural steel decking;
 - Use of windows will be limited to only the structures’ main entrances;
 - The structure will incorporate an enhanced fire sprinkler system to exceed California Fire Code requirements; and
 - The structure will include emergency exits that exceed the exit requirements set forth by the Riverside County Fire Code by approximately 15 to 20 percent.
 - The applicant will not propose any uses prohibited or discouraged in Compatibility Zones C1 or D. (DEIR, pp. 5.1-35–5.1-36.)

The revision to mitigation measure **MM AES 10** does not constitute significant new information, as defined by State *CEQA Guidelines* Section 15088.5, that would require recirculation of the DEIR. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 48-B:

With regard to Response to Comment 24-G and the commenter's opinion that the EIR consider the potential negative effect that the proposed Project may have on the value of homes in the Project vicinity, see Response to Comment 24-F.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 48-C:

Refer to Response to Comment 24-A for a discussion regarding existing noise levels.

The statement that the current noise level cannot be used as a baseline to determine the current level of background noise and that any existing noise impacts must be resolved before calculating effects of Project-generated noise is incorrect. An EIR evaluates the change between an existing condition (i.e., current background noise) and the change resulting from a proposed project. For noise impacts, Noise Thresholds C and D of the City's CEQA Checklist require analysis in the EIR to identify the potential for a "substantial increase in [permanent, temporary, or periodic] ambient noise levels in the project vicinity *above levels existing without the project.*" (DEIR, p. 5.12-18, emphasis added.) The term "substantial," as used in this regard, is not defined in most environmental compliance guidelines. Because most people only notice a change in the noise environment when the difference in noise levels is around 3 dBA CNEL. A 5 dBA change (i.e., increase or decrease) in noise levels is required before any noticeable change in community response would be expected. (DEIR, p. 5.12-38.) Therefore, for purposes of this threshold, a clearly perceptible increase (+5 dBA) in noise exposure of sensitive receptors is considered substantial. (DEIR, p. 5.12-38.)

The DEIR appropriately identified the existing noise levels in the Project area, determined the noise that would be generated by the proposed Project, and incorporated mitigation measures to reduce Project-generated noise. CEQA does not require a project proponent to mitigate or correct for existing conditions not related to a proposed project.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 48-D:

The 12 mitigation measures identified in the DEIR to reduce construction noise (see below) are not intended to reduce the Project's long term operational noise impact. Mitigation measures **MM NOI 1** through **MM NOI 12** (listed in Response to Comment 24-A) are included in the DEIR because construction noise of up to 80 dBA L_{eq} at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA L_{eq} and the standard for public recreational facilities of 65 dBA L_{eq} . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. It is important to note that on August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City Council of the City of Riverside, amending the City's Noise Code to exempt construction noise between the hours

of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

To mitigate long-term impacts from operational noise, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15**.

MM NOI 13: To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system. (DEIR, p. 5.12-46.)

MM NOI 14: To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling. (DEIR, p. 5.12-46.)

MM NOI 15: A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation**. (DEIR, p. 5.12-46.)

With implementation of the above mitigation measures (**MM NOI 13** through **MM NOI 15**), operational noise from the proposed Project will not exceed the City's nighttime noise standard of 45 dBA for all receptors except at two residences located northwest of the Project site. Because these residences area at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 DBA L_{eq} . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation**.) However, because the noise barrier specified in **MM NOI 16** would be on private property, the installation of this mitigation

measure is dependent on the two individual property owners, not the Project Applicant. For this reason, the DEIR determined impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

MM NOI 16: Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate. (DEIR, p. 5.12-47.)

The commenter's lack of confidence that the Project's proposed noise mitigation measures will not satisfactory is noted. It is also noted that this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with "good faith, reasoned analysis." (CEQA Guidelines, §15088(c).) These responses "shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

A legally binding Mitigation Monitoring and Reporting Program (MMRP) has been prepared and is included in Section 4 of the FEIR. The mitigation measures shall be implemented by the Project Applicant during Project construction and operation. The MMRP gives the City the authority to ensure that all feasible, agreed-upon mitigation measures are implemented. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 48-E:

With regard to the commenter's observation that trucks are idling on Eastridge Avenue, residents can call 311 and their complaint will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated. Complaints regarding illegally idling trucks idling are to be directed to the Air Resources Board (ARB). To report an illegally idling vehicle, an individual may call ARB at 1-800-END-SMOG or email helpline@arb.ca.gov with the following information:

- Date and time you saw the violation
- Location (cross streets or address, and city) of the incident
- License plate number from the front of the truck, including state
- DOT, MC and MX number from side of door
- Company name and any identifying marks on the truck
- Details about the observed idling violation

If requested, calls or email will be kept anonymous.³

With regard to transportation refrigeration units (TRUs), electrical hookups will be provided at the Project site, and only TRUs with electric standby capabilities will be allowed at the Project site, as set forth in the lease agreement and mitigation measure **MM AQ 14**. (DEIR, pp. 5.12-28, 5.12-46.)

MM AQ 14: Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

Noise associated with back-up beepers at the Project site will be reduced through implementation of mitigation measure **MM NOI 13** listed in Response to Comment 24-A, which requires the use of ambient-sensitive self- or manual-adjusting back up alarms. (DEIR, pp. 5.12-31, 5.12-46.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

³ Source: <https://www.arb.ca.gov/msprog/truck-idling/factsheet.pdf>

Response to Comment 48-F:

Residents can call 311 and their complaint will be routed to the Code Enforcement Department, Traffic Department and Police Department so that the appropriate response can be coordinated.

With regard to compliance with the mitigation measures identified in the DEIR, see Response to Comment 48-D.

The commenter’s lack of confidence that the Project’s proposed noise mitigation measures is addressed in Response to Comment 48-E.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 48-G:

The commenter expresses uncertainty over the definition of several noise analysis terms, known as noise descriptors defined in the DEIR and reproduced below:

- L_{eq} Equivalent Continuous Noise Level, a level of steady state sound that in a stated time period, and a stated location, has the same A-weighted sound energy as the time-varying sound (DEIR Appendix I, p. 55). The average noise levels over a period of minutes or hours is usually expressed at dBA L_{eq} , or the equivalent noise level for that period of time. For example, $L_{eq(3)}$ would represent a 3-hour average. When no period is specified, a one-hour average is assumed. (DEIR Appendix I, Appendix A.) As used in the DEIR, L_{eq} refers to the noise level averaged over a one-hour period.
- L_{max} The single highest recorded noise level event during monitoring (DEIR, p. 5.12-7).
- L_{min} The single lowest recorded noise level event during monitoring (DEIR, p. 5.12-7).
- L_2, L_8, L_{50}, L_{90} A-weighted Noise Levels at 2 percent, 8 percent, 50 percent, and 90 percent, respectively, of the time period. (DEIR Appendix I, Appendix A.)

Different noise descriptors are used for different purposes. The base exterior noise standards identified in DEIR **Table 5.12-E – Riverside Municipal Code Exterior Nuisance Sound Levels** and **Table 5.12-F – Riverside Municipal Code Interior Nuisance Sound Levels** are in L_{eq} . In addition to the “base” daytime and nighttime noise standards identified in **Tables 5.12-E and 5.12-F**, the City’s Noise Ordinance also includes several other noise level criteria that are based on the percentage of time a particular noise level is exceeded over a measurement period. These criteria are represented by the L_{max} , L_{50} , L_{25} , L_8 and L_2 criteria. (DEIR, p. 5.12-28.)

Section 7.25.010 of the Riverside Municipal Code provides criteria that apply to any exceedance of the limits present in DEIR **Table 5.12-E**. These criteria are primarily used for the purposes of code enforcement, but are discussed in the DEIR to outline the parameters by which a noise exceedance would be evaluated. (DEIR, p. 5.12-16.) The following table shows the noise descriptor applicable to each Riverside Municipal Code Section 7.25.010 A

Riverside Municipal Code Section 7.02.010 A	Noise Descriptor
1. The exterior noise standard of the applicable land use category, up to 5 decibels, for a cumulative period of more than 30 minutes in any hour; or	L ₅₀ because 30 minutes represents 50 percent of one hour
2. The exterior noise standard of the applicable land use category, plus 5 decibels, for a cumulative period of more than 15 minutes in any hour; or	L ₂₅ because 15 minutes represents 25 percent of one hour
3. The exterior noise standard of the applicable land use category, plus 10 decibels, for a cumulative period of more than 5 minutes in any hour; or	L ₈ because 5 minutes represents 8 percent of one hour
4. The exterior noise standard of the applicable land use category, plus 15 decibels, for the cumulative period of more than 1 minute in any hour; or	L ₂ because 1 minute represents approximately 2 percent of one hour
5. The exterior noise standard for the applicable land use category, plus 20 decibels or the maximum measured ambient noise level, for any period of time.	L _{max} because this is the maximum for any period of time

Regarding noise descriptors with a letter, when L_{max} or L_{min} are shown with a letter (i.e., L_{max}^G or L_{min}^D), such as in DEIR **Table 5.12-B – Existing Noise Levels in Project Vicinity**, the letter corresponds to a note for that table. Using Table 5.12-B as an example, the “c” in L_{max}^c refers to the note that states “^c The single highest recorded noise level event during monitoring.” (DEIR, p. 5.12-7.) The notes are provided in the tables to direct the reader to the data source or to define the contents of the table.

As stated in the DEIR, the predominant noise sources characterizing the Project site and the surrounding area recorded *during the noise monitoring period* (emphasis added) are residential noise, barking dogs, and construction activity. (DEIR, p. 5.12-5.) Barking dogs are both an occasional noise and a predominant noise source because barking is not a consistent source of noise; rather there were many occasional dog barks recorded during the monitoring period, making them a predominant source of noise as well. Similarly, industrial noise is reported as “occasional” in the DEIR because industrial noise consists of punctuated periods of noise, followed by less noisy periods. Thus, even if these noises occur repeatedly throughout the

night, they are still correctly characterized as “occasional” in the DEIR because they are not constant.

With regard to the commenter’s self-reported noise measurements, insufficient information is provided to assess the accuracy or meaning of these measurements. Nonetheless, the commenter’s 10 p.m. measured L_{eq} of 27 to 29 dB recorded by the commenter is below both the monitored noise measurements reported in DEIR **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity** the City’s nighttime noise standard of 45 dBA. The commenter’s reported measurements of 42-48 dB with an average from 10 p.m. to 8 a.m. of approximately 44 dB is slightly higher than the monitored results in **Table 5.12-C** for certain hours; however, the 44 dB average is below the City’s nighttime noise standard of 45 dBA. The commenter’s measured L_{max} , is below the City’s nighttime L_{max} of 65 dBA.

In response to the commenter’s assertion that citizen complaints have not been addressed, see Response to Comment 48-F.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 48-H:

The noise analysis in the DEIR (DEIR Section 5.12) and the NIA (DEIR Appendix J) consists of explanatory text and numerous figures so that the technical analysis may be understood by the reader. Because of the topographical differences between the Project site and the location of the residences, the NIA, the SoundPLAN Noise Model was used to model construction and operational noise at over 30 receptors in the vicinity of the Project site. SoundPLAN was used for this analysis because this model can consider the differences in topography between a noise source and a receptor. (DEIR, p. 5.12-22). For the NIA, the topography of the Project site, the location of the Project’s proposed buildings, (Building 1 and Building 2) and the location of the residences surrounding the Project site, both first and second floor were entered into the model. The output from the modeling runs are presented in the DEIR and NIA as a series of figures and explained in the text of these documents. The figures in the DEIR and NIA show the footprints of proposed Building 1 and Building 2, the location of the truck parking area, the docks, the vehicle parking area, and the residences to the north and northwest of the Project site.

Project operations will generate noise from vehicle movements within the proposed parking areas, idling trucks, loading and unloading activities, trash compactors and rooftop HVAC systems. The dominant operational noise will generally include noise associated with semi-trucks (tractor-trailers) entering and exiting the Project site and accessing dock areas, removal and hook-up of trailers, occasional truck air brakes, and vehicles associated with employees. The dock doors and trailer parking areas were modeled as area sources with a sound pressure level of 65 to 67 dBA. (DEIR, p. 5.12-24, **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation, Figure 5.13-6 – Operational Noise Levels (Leq) With Mitigation.**)

There are no dock doors on the north side of Building 2, the side of the building closest to the residences, to reduce noise impacts to the residences from the proposed Project. Thus, there are no noise sources modeled for this location at the Project site. Noise associated with dock doors and trailer parking is modeled along the west side of Building 1. At the southeast corner of Building 1, a HVAC and trash compactor, parking lot, and dock doors and trailer parking were modeled as noise sources. (DEIR, **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation**, **Figure 5.13-6 – Operational Noise Levels (Leq) With Mitigation**.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA L_{eq} at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation**.) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, see Response to Comment 48-C. (DEIR, p. 5.12-46.) With implementation of these mitigation measures, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, see Response to Comment 48-D, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA L_{eq} . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels (L_{eq}) with Mitigation**.)

Assuming 10 dB of noise reduction with windows open, the noise levels from back-up beepers at the interior of adjacent residences will be approximately 44 dBA L_{max} , which will not exceed the City's maximum daytime or nighttime interior noise standards of 55 dBA L_{max} and 45 dBA L_{max} , respectively, as set forth in Section 7.35.010 A.5. One additional backup beeper was modeled in **Figure 5.12-7 – Back Up Beeper Operational Noise Levels (L_{max}) with No Mitigation** to represent the worst-case scenario above what is expected and accounted for in the operational noise models. Noise associated with back-up beepers will be reduced through implementation of mitigation measure **MM NOI 13** listed below, which requires the use of ambient-sensitive self- or manual-adjusting back up alarms. (DEIR, pp. 5.12-31, 5.12-46.)

The rooftop HVAC equipment was modeled as a point source placed on top of the structures' roofs. For modeling purposes, the noise model SoundPLAN's reference sound power level of 85 dB was used. Five trash compactors, as shown on the Project's site plan (**Figure 3-10 – Proposed Site Plan**) were modeled using a sound pressure level of approximately 67.9 dBA at a distance of 10 feet, was utilized to represent each trash compactor. Usage factors were applied to the trash compactors as they are not expected to be utilized more than once per hour. (DEIR, p. 5.12-26.)

The commenter's opinion that the results of the noise modeling in the DEIR and NIA do not represent any future noise prediction is noted. It is also noted that this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. With regard to opinions without support, refer to Response to Comment 48-D.

Therefore, the DEIR sufficiently modeled worst case scenarios to quantify the predicted noise impacts of operation of the proposed Project. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 48-I:

Although there will be significant and unavoidable impacts related to air pollution and noise, even with feasible mitigation incorporated, as well as significant and unavoidable impacts related to traffic, the City has discretion to approve a Statement of Overriding Considerations and move forward with the Project, Section 15093(a) of the State *CEQA Guidelines* requires the City to balance, as applicable, the economic, legal, social, technological, or other benefits, of the proposed Project against its unavoidable environmental risks in determining whether to approve the Project. If these benefits outweigh the unavoidable adverse environmental effects, the City may consider the adverse environmental effects to be acceptable.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 48-J:

Noise coming from existing activities is part of the existing noise environment for the proposed Project and it is not the responsibility of the Project applicant to reduce the existing noise levels. With regard to the assertion that existing noise must be reduced before Project-related noise is evaluated refer to Response to Comment 48-C.

Response to Comment 48-K:

Back-up alarms are required for safety purposes. Mitigation measure **MM NOI 13** (listed in Response to Comment 48-D) requires all equipment in use on the Project site that requires a backup alarm to use either ambient-sensitive self-adjusting back up alarms or manually adjustable alarms. The mitigation measure further states that the tone of the back-up alarm be set so as to be readily noticeable, over ambient noise levels; thus it is expected these alarms will be set a minimum of 5 dBA over the ambient noise level at the time the backup movement is occurring. Mitigation measure **MM NOI 13** also offers an option of using a guide and flagging system instead of a backup alarm. (DEIR, 5.12-46.)

With regard to enforcement of the mitigation measures, refer to the discussion of the MMRP under Response to Comment 48-D.

With regard to existing warehouses, the Project applicant has no control over those operations.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 48-L:

In response to the commenter's question if trucks with refrigeration units are to be hooked to electrical power, the answer is yes as required by mitigation measure **MM AQ 14**. Refer to

Response to Comment 48–E. Therefore, noise from refrigeration units will be reduced to less than significant (DEIR, pp. 5.12-28–5.12-29).

With regard to the commenter’s question whether the owners of the two properties will cooperate or be forced to accept the noise barrier, it is assumed that the commenter is referring to installation of the noise barrier and cooperation between the homeowners and Project proponent to develop an acceptable and attractive solution per mitigation measure **MM NOI 16**. As discussed in Response to Comment 48-D and stated in the DEIR, because neither the Project applicant nor the City has the authority to require the installation of the noise barrier in mitigation measure **MM NOI 16**, this measure is infeasible and the DEIR concluded that operational noise impacts would be significant and unavoidable. (DEIR, pp. 1-47–1-48, 5.12-28, 5.12-34, 5.12-48, 6-29.) Mitigation measure **MM NOI 16** requires the Project proponent to *work with* (emphasis added) City Design Review staff and the property owners. However, participation is at the sole discretion of the owners of the property identified in mitigation measure **MM NOI 16**.

With regard to other property owners surrounding the Project site, the analysis in the DEIR and NIA indicate that with implementation of mitigation measures **MM NOI 13** through **MM 15** and **MM AQ 14** (listed in Response to Comment 24-A), Project-related operational noise would not exceed the City’s daytime or nighttime noise standards at all receptors except the two locations identified in mitigation measure **MM NOI 16**. (DEIR, p.5.12-48.) Thus, no additional mitigation is proposed.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 48-M:

With regard to construction noise, refer to Response to Comment 24-A.

Response to Comment 48-N:

With regard to the existing warehouses, refer to Response to Comment 24-A.

This comment letter along with all of the other comment letters received and the responses to the comment letters will be provided to decision-makers and become part of the Project’s record.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Page intentionally blank

Comment Letter 49 – Noah M. Holznecht

From: Noah [<mailto:nmholz000@hotmail.com>]
Sent: Wednesday, December 14, 2016 10:03 PM
To: Brenes, Patricia <PBrenes@riversideca.gov>
Cc: alecgerry@sbcglobal.net; maureenclemens@att.net
Subject: [External] Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042

49

Noah M. Holznecht
1481 Sutherland Drive
Riverside, California 92509

City of Riverside
Community & Economic Development
Department, Planning Division
3900 Main Street, 3rd Floor
Riverside, California 92522

Attn: Patricia Brenes, Principal Planner

Re: the proposed project of the Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042

I am speaking only for myself as a homeowner in the Sycamore Highlands community.

49-A

I have previously sent a written testimony regarding opposition to the proposed project of the Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042. I am requesting, as a resident, the planning department address a conflict in response to residents regarding the inconsistencies in the determined significant and unavoidable impact to the residential area adjacent to State Clearinghouse (SC) No. 2015081042. According to by the Draft Environmental Impact Report (DEIR) and the City Planning Commission the Project cannot feasibly mitigate the significant environmental impacts to Air Quality, Noise, and Transportation/Traffic.

In the City Planning Commission official response to residents regarding the significant and unavoidable impact:

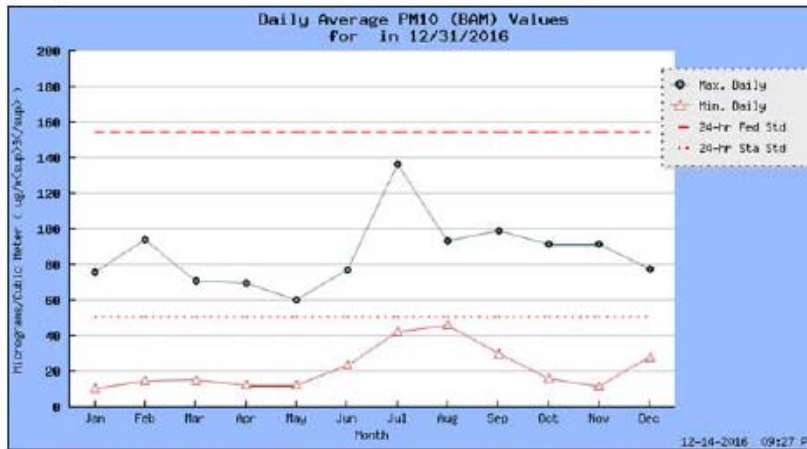
49-B

"Although there will be significant and unavoidable impacts related to air pollution and noise, even with feasible mitigation incorporated, the City has discretion to approve a Statement of Overriding Considerations and move forward with the Project. Section 15093(a) of the State CEQA Guidelines requires the City to balance, as applicable, the economic, legal, social, technological, or other benefits, of the proposed Project against its unavoidable environmental risks in determining whether to approve the Project. If these benefits outweigh the unavoidable adverse environmental effects, the City may consider the

adverse environmental effects to be acceptable."

The City Planning Commission's direct response to residents is in conflict with the previous statement. In the City Planning Department response to residents, "the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation." This comment was in numerous response to the letters of residents in addressing the concerns related to the adverse health risks associated with significant and unavoidable impacts related to air pollution and noise.

How is it feasible to have significant and unavoidable impacts, yet claim the Project will not expose residents to adverse impacts? In reviewing the Air Quality and Meteorological Information (AQMIS2) retrieved from the California Environmental Protection Agency, Air Resources Board our community is already exceeding the state standard level for PM-10, an emissions factor. As shown in the graph below, we are consistently exceeding the state standards. In following the DEIR, the Project will generate more PM-10 creating a larger impact on our air quality.



In looking for a City resolution, I found the literature titled "50 Ways to Cleaner Air," sponsored by the City of Riverside's website under *A Clean Air Vision*. The literature recommends ways to reduce particulate matter or PM-10 pollution and protect yourself. One suggestion is speak up for cleaner air and support action for healthy air. In supporting an action for healthy air, again, I ask the City Planning Commission to address my concerns for air quality without contradiction and inconsistency in response to my previous comments.

Thank you for your consideration.

Noah M. Holzknicht

From: Noah <nmholz000@hotmail.com>
Sent: Tuesday, October 25, 2016 12:14 PM
To: pbrenes@riversideca.gov
Cc: alecgerry@sbrglobal.net; maureenclemens@att.net
Subject: Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042

Noah M. Holzknicht
1481 Sutherland Drive
Riverside, California 92507

City of Riverside
Community & Economic Development
Department, Planning Division
3900 Main Street, 3rd Floor
Riverside, California 92522
Attn: Patricia Brenes, Principal Planner

↑ 49-B
cont

49-C

49-D

Included is a copy of my "public comment" that I plan on reading at today's meeting regarding the Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042. I encourage you to read these concerns and share them with all others that are part of this significant decision.

49-E

I am speaking only for myself as a homeowner in the Sycamore Highlands community. I have previously sent a written testimony regarding opposition to the proposed project of the Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042. I am requesting, as a resident, the council addresses the City Planning departments inability to ensure the City's 2008, adopted Good Neighbor Guidelines, Resolution No. 21734, be adhered to. The City has failed in securing a health risk assessment be conducted for the area affected and does not support the Guidelines goals "to minimize the impacts of diesel emissions associated with distribution centers greater than 400,000 square feet."

As stated in the Guidelines adopted by the City of Riverside, "Diesel exhaust is responsible for about 70 percent of the total cancer risk from air pollution" (City of Riverside, 2008, p. 2). This is further supported by "30 years of extensive evidence linking air pollution to mortality and respiratory morbidity in humans" (Sapkota et al., 2012, p. 369). Scientific evidence indicates support in the need to conduct a health risk assessment. State Clearinghouse (SC) No. 2015081042 has known diesel emissions exposure for the affected areas within the proposed development; this should have signified to the City Planning office that a health risk assessment needed to be completed to ensure the City upheld the adoption of the Guidelines made by the City in 2008.

How will the City compensate residents for this notable disregard that will establish an increase in adverse health implications for an entire community? Will the City compensate residents and their families who are afflicted with symptoms directly resulting from diesel emissions poisoning? Or provide care for children born with cognitive deficits as a consequence of the increased toxins created by the significant impact that has been determined in the Draft Environmental Impact Report (DEIR) of State Clearinghouse (SC) No. 2015081042.

49-F

According to ordinance no. 7328, the City of Riverside's adopted Code of Ethics and Conduct, "The people of the City of Riverside expect their public officials to comply with both the letter and spirit of the laws ..." (p. 2), moreover, that city representatives "aspire to meet the highest ethical standards in the conduct of their responsibility as a public official of the City of Riverside" (p. 2). With the aforementioned in mind, I demand that the council uphold the Good Neighbor Guidelines and the City's adopted Code of Ethics and Conduct in rejecting State Clearinghouse (SC) No. 2015081042.

49-G

Thank you for your time and consideration.

Click [here](#) to report this email as spam.

Response to Comment Letter 49 – Noah M. Holzknacht

Note: This is the second comment letter from Mr. Holzknacht. He is also the author of Comment Letter 23. This comment letter raises the issue of air quality and noise, which was raised in the previous comment letter.

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 49-A:

The commenter’s statement that the Project cannot feasibly mitigate the significant environmental impacts to air quality, noise and transportation/traffic is correct. This statement was addressed in response to the previous comment letter received from this commenter. Please refer to Response to Comment 23-A.

Although the Project will have significant impacts, pursuant to *State* CEQA Guidelines Section 15093, the City may adopt a Statement of Overriding Considerations to move forward with the Project if specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 49-B:

The commenter takes issue with the identification of significant and unavoidable impacts related to air quality and the following quote from the Response to Comments: “the Project will not result in the exposure of sensitive receptors to substantial pollution concentrations during Project construction or operation.” This quote relates specifically to the conclusion of the Health Risk Assessment (HRA) prepared for the Project. The findings of the HRA are discussed in Response to Comment 23-B.

Conversely, significant and unavoidable impacts to air quality are a result of a projected exceedance of the South Coast Air Quality Management District (SCAQMD) regional significance threshold for nitrous oxide (NO_x) during long-term operation of the Project, as discussed in Response to Comment 23-A.

Response to Comment 49-C:

As disclosed in the DEIR, the Project site is located within a portion of the South Coast Air Basin (“the Basin”) that is designated as nonattainment for PM-10 by the state. (DEIR, p. 5.3-10.) To determine localized impacts to sensitive receptors in SCAQMD-defined Source Receptor Area (SRA) 23, which includes the Project site, SCAQMD has developed Localized Significance Thresholds (LSTs). The non-attainment PM-10 and PM-2.5 pollutant measurements are derived using an air quality dispersion model to back-calculate the emissions that would be necessary to worsen the existing violation in the Project vicinity, using the allowable change in concentration thresholds approved by the SCAQMD. Therefore, the tabulated LSTs represent the maximum mass emissions from a project that would not cause or contribute to an exceedance of state or federal ambient air quality standards (AAQS) for the above pollutants, and were developed based on ambient concentrations of these pollutants for each SRA in the Basin. (DEIR, p. 5.3-27.)

Based on the LST analysis, neither the short-term construction nor the long-term operation of the Project will exceed the SCAQMD LST at any sensitive receptors within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29.) Additionally, as discussed in Response to Comment 23-B, none of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. (DEIR, pp. 5.3-33 – 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.) Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation.

Thus, although the regional significance threshold for NO_x will be exceeded and regional air quality impacts will be significant and unavoidable (see Response to Comment 23-A), localized air quality impacts and resultant health impacts to nearby residents and sensitive receptors will be less than significant. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 49-D:

The City’s publication “50 Ways to Cleaner Air” identifies 50 ways that citizens can reduce their own impacts to air quality in the City. The commenter is correct that one suggestion is to speak up for cleaner air and support action for healthy air, and the City appreciates your review of the DEIR.

The “50 Ways to Cleaner Air” publication identifies a number of energy saving recommendations. The Project incorporates the following project design features to reduce Project-related emissions:

As described in DEIR Section 3.2.5 (Sustainability Features), the Project will meet or exceed all applicable standards under California’s Green Building Code (CalGreen) and Title 24. This will be accomplished by incorporating, at a minimum, the following sustainability features or other features that are equally efficient: (DEIR, pp. 3-40–3-43.)

Energy Efficiency

- Design building shells and components, such as windows, roof systems and electrical systems, to meet California Title 24 Standards for nonresidential buildings.
- Design buildings to provide CalGreen Standards with Leadership in Energy and Environmental Design (LEED) features for potential certification. This includes design considerations related to the building envelope, HVAC, lighting, and power systems. Additionally, the architectural expression such as roofs and windows in the buildings will relate to conserving energy.
- Install efficient lighting and lighting control systems. Solar or light-emitting diodes (LEDs) will be installed for outdoor lighting. The site and buildings will be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems in buildings. Lighting will incorporate motion sensors that turn them off when not in use.
- Use trees and landscaping on west and south exterior building walls to reduce energy use.
- Install light colored “cool” roofs over office area spaces and cool pavements.
- For future office improvement, install energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated.
- For future office improvement, refrigerants and HVAC equipment will be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. Ventilation and HVAC systems will be designed to meet or exceed the minimum outdoor air ventilation rates described in the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHREA) standards and/or per California Title 24 requirements.
- For future office improvement, implement design features to increase the efficiency of the building envelope (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Provide vegetative or human-made exterior wall shading devices or window treatments for east, south, and west-facing walls with windows.
- Incorporate Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

Renewable Energy

- Design buildings to have “solar ready” roofs that will structurally accommodate later installation of rooftop solar panels. Building operators providing rooftop solar panels will submit plans for solar panels prior to occupancy.

Water Conservation and Efficiency

- Create water-efficient landscapes in compliance with the City’s Water Efficient Landscape and Irrigation Ordinance 19.570.
- Surface parking lots will be landscaped in accordance with City standards to reduce heat island effect.
- Install water-efficient irrigation systems and devices, such as soil moisture based irrigation controls and sensors for landscaping according to the City’s Water Efficient Landscape and Irrigation Ordinance 19.570, which complies with the California Department of Water Resources Model Efficient Landscape Ordinance.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products).
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Provide education about water conservation and available programs and incentives to the building operators to distribute to employees.

Solid Waste Measures

- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste, and adequate recycling containers located in public areas.
- The property operator will provide readily available information provided by the City for employee education about reducing waste and available recycling services.

Transportation and Motor Vehicles¹

- Limit idling time for commercial vehicles to no more than ~~three~~five minutes.

¹ To further reduce emissions, the idling time has been reduced to three minutes, which less than the idling time permitted by Title 13 of the California Code of Regulations, Section 2485 (DEIR. P. 5.3-37) and the Project will incorporate a design feature requiring all medium- and heavy-duty truck entering the Project site to meet or exceed 2010 engine emissions standards. These changes will be reflected in the FEIR. Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

- All medium and heavy duty diesel trucks that enter the Project site shall that meet or exceed 2010 engine emission standards as specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative shall be permitted to enter the Project site. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.
- Provide up to three electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.
- Provide bicycle parking per the CalGreen Code Standards including short-term bicycle parking (Section 5.710.6.2.1) and long-term bicycle parking (Section 5.710.6.2.2).
- Designate parking (per Section 5.710.6.3) for 10 or more vehicular parking spaces, for any combination of low-emitting, fuel-efficient and carpool/vanpool vehicles as shown in Table 5.106.2.2 of CalGreen Building Code Division 5.1.
- The Building Operator will support and encourage ridesharing and transit for the construction crew.

On-Site Equipment and Loading Docks

- The Project will require building operators (by contract specifications) to turn off equipment, including heavy-duty equipment, motor vehicles, and portable equipment, when not in use for more than 5 minutes. Truck idling shall not exceed 5 minutes in time. All facilities will post signs requiring that trucks shall not be left idling for more than 5 minutes pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes.
- Electrical hookups will be installed at all loading docks in order to allow transport refrigeration units (TRUs) with electric standby capabilities to use them where TRUs are in use. Trucks incapable of utilizing the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement.
- Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

Construction

- Require construction equipment to turn off when not in use.
- Use locally produced and/or manufactured building materials for at least 10% of the construction materials used for the Project.

- Use “green” building materials where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way.
- During grading, heavy-duty construction equipment (i.e., excavators, graders, scrapers, dozers, tractor/loader/backhoes, etc.) shall be CARB/U.S. Environmental Protection Agency Tier 3 certified.

Because the Project’s design features are also listed as mitigation measures (DEIR, p, 5.3-35), the requirement for all medium and heavy duty vehicles entering the Project site to meet or exceed 2010 engine emissions standards has also been included as a mitigation measure for consistency with other project design features that were also included as mitigation. Accordingly, mitigation measure **MM AQ 17** will be renumbered to **MM AQ 17a** and **MM AQ 17b** will be added to DEIR page 5.3-37.

MM AQ 17b: All medium and heavy duty diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.

The addition of this mitigation does not raise any new significant environmental effects of the project but merely clarifies and makes an insignificant modification to the EIR to include a project design feature that the Project will require the use newer truck engines than is currently required by law; Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 49-E:

The allegation in this comment that the City failed to secure a health risk assessment (HRA) per the City’s Good Neighbor Guidelines is incorrect. As discussed in Response to Comment 23-B, a Screening HRA was prepared in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 (included as Attachment A.1 of the Final EIR) to evaluate cancer and non-cancer risks associated with the proposed Project. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the “New Modeling”). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR).

None of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. According to the June Screening HRA, the November Refined HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project operation for workers or residents within the Project vicinity. In fact, the estimated maximum cancer risk

reduced from 5.3 in one million as reported in the June HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation. (DEIR, pp. 5.3-33 – 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 49-F:

As discussed in Responses to Comments 23-B and 49-E, the results of the June Screening HRA, the November Refined HRA, and the New Modeling indicate that implementation of the proposed Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation.

Response to Comment 49-G:

The City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in Response to Comment 23-B and DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City's *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72.) Because each Project and property have different characteristics and circumstances, the City's *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a HRA be prepared for any warehouse project within 1,000-feet of residential properties. As discussed in Responses to Comment 23-B and 49-E, a HRA was prepared and the results indicate that implementation of the Proposed project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation.

Comment Letter 50 – Richard Drury, Lozeau Drury LLP

50



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410 12th Street, Suite 250
Oakland, Ca 94607

www.lozeaudrury.com
rebecca@lozeaudrury.com

December 14, 2016

Via Email and US Mail

Chairperson Barry C. Johnson
City of Riverside Planning Commission
c/o Community & Economic Development Department
Planning Division
3900 Main Street, 3rd floor
Riverside, CA 92522
pbrenes@riversideca.gov

Patricia Brenes, Principal Planner
City of Riverside
Community & Economic Development Department
Planning Division
3900 Main Street, 3rd floor
Riverside, CA 92522
pbrenes@riversideca.gov

**Re: Sycamore Canyon Business Park Buildings 1 and 2
Final Environmental Impact Report (SCH No. 2015081042)**

Dear Chairperson Johnson, Members of the Planning Commission and Ms. Brenes:

I am writing on behalf of Laborers International Union of North America, Local Union No. 1184 and its members living in Riverside County (collectively "LIUNA" or "Commenters") regarding the Final Environmental Impact Report ("FEIR") prepared for the Sycamore Canyon Business Park Buildings 1 and 2 (SCH No. 2015081042) ("Project").

After reviewing the FEIR, we conclude that the document fails as an informational document, fails to impose all feasible mitigation measures to reduce the Project's impacts, and fails to respond adequately to comments. Commenters request that the City of Riverside ("City") address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project.

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DEC 20 2016

Community & Economic
Development Department

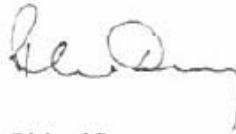
50-A

Sycamore Canyon Business Park Buildings 1 and 2
December 14, 2016
Page 2

We reserve the right to supplement these comments at public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

↑
50-A
cont.

Sincerely,



Richard Drury

Response to Comment Letter 50 – Richard Drury, Lozeau Drury LLP

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 50-A:

The Final Environmental Impact Report (FEIR) had not been published at the time this comment letter was drafted. Responses to comments received by the City as of November 4, 2016 were available as part of the materials provided to the Planning Commission for its November 15, 2016 meeting. It is assumed that this comment is referring to the responses to comments.

The commenter provides no evidence, substantial or otherwise, that the DEIR or responses to comments are inadequate or requires significant new information. The DEIR and responses to comments were prepared in accordance with the requirements of the *State CEQA Guidelines* and the City’s local guidelines for implementing CEQA and contains a thorough analysis of the Project’s potential environmental impacts to all of the environmental issues in Appendix G of the *State CEQA Guidelines*. The revisions to the DEIR will be identified in Section 3 – Errata to Draft EIR of the FEIR to clarify and amplify the discussion in the DEIR.

Recirculation of an Environmental Impact Report (EIR) prior to certification by the lead agency is required when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR (DEIR) for public review and comment, but before the FEIR is certified by the lead agency. (CEQA Guidelines, § 15088.5.) As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. Recirculation of a DEIR is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. (CEQA Guidelines, § 15088.5 (a), (b).) None of the responses to comments contain new information that would require recirculation.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR or responses to comments.

Comment Letter 51 – Alec Gerry

From: Alec Gerry [<mailto:alecgerry@sbrglobal.net>]
Sent: Wednesday, December 14, 2016 5:39 PM
To: Brenes, Patricia <PBrenes@riversideca.gov>
Cc: Sycamore Highlands <sycamorehighlands@yahoo.com>
Subject: [External] Comment for Planning Commission Meeting Thursday morning

51

City of Riverside
Community Development Department, Planning Division
Attn: Patricia Brenes, Principal Planner, pbrenes@riversideca.gov

Ms. Brenes,

I am responding to the Planning Department's response to my initial comments on the DEIR for the Mega-warehouses proposed for the Sycamore Canyon Business Park.

51-A

While there are very many issues and significant impacts related to this proposed development, I will limit this response to just two so that Planning Commission members can read through the document:

1) I indicated in my initial letter that noise from existing warehouses was already too high and exceeded the nighttime noise limit of 45 dB, and that the noise consultant appears to have deliberately selected the quietest nights and positions to measure noise that we currently have. The Planning Department confirms that "locations that would be quieter were intentionally selected" as that this was a good thing for residents since it was "change in noise levels" from the project that are important

*I disagree!! It is not the change in noise levels that wakes residents up each night. It is the actual volume of noise. And when the noise consultants measured noise at 52 dB and higher already at our property lines when warehouses are currently 800-2500 feet away, how can there be less noise when an even larger warehouse with more vehicles is built only 100 feet away. **This does not pass the common sense test!***

2) The Planning Department indicates that the traffic analysis for Sycamore Canyon Blvd was performed by a registered professional traffic engineer. In this analysis, the Traffic Engineer assumes that only 5% of trucks will travel north on the street past two apartment complexes. This assumption is based upon no good evidence. And in fact, there is evidence that half or more of the trucks will actually travel on this road. The Planning Department published vehicle counts from Sierra Ridge road that show considerably more than 5% of vehicles travel to the north – truck drivers will follow this same path to avoid impacted traffic areas.

51-B

The City of Riverside traffic engineer should be asked to "ground-truth" the statement that only 5% of trucks from the proposed warehouse will go past the apartments to the north. If this value is considerably higher, which I believe it is, then the health risk assessment performed by the developer is also based upon incorrect data.

51-B
cont.

Alec Gerry
6017 Cannich Road
Riverside, CA 92507

Click [here](#) to report this email as spam.

Response to Comment Letter 51 – Alec Gerry

Note: This is the fifth comment letter from Mr. Gerry. He is also the author of Comment Letters 14, 15, 40, and 41. This comment letter raises the issues of noise and traffic as did the previous letters.

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2013, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 51-A:

This comment reiterates the commenter’s concerns addressed in Comment Letters 14 and Response to Comment Letter 41.

As discussed in Response to Comment 14-A, the purpose of ambient noise measurements is to provide a basis for the comparison of noise with and without the Project. An environmental impact report is prepared to evaluate the change between existing conditions and the condition resulting from a specific project. For noise impacts, Noise Thresholds C and D of the City’s CEQA Checklist require analysis in the EIR to identify the potential for a “substantial increase in [permanent, temporary, or periodic] ambient noise levels in the project vicinity *above levels existing without the project.*” (DEIR, p. 5.12-18, emphasis added.) The term “substantial,” as used in this regard, is not defined in most environmental compliance guidelines. For reference, noise analysis methodology is accurate only to the nearest whole decibel and most people only notice a change in the noise environment when the difference in noise levels is around 3 dBA CNEL. A 5 dBA change (i.e., increase or decrease) in noise levels is required before any noticeable change in community response would be expected (GP 2025 FPEIR, p. 5.11-26). Therefore, for purposes of this threshold, a clearly perceptible increase (+5 dB) in noise exposure of sensitive receptors is considered substantial (DEIR, p. 5.12-38). For these reasons, by selecting quieter locations at the Project site to measure the existing noise environment, anticipated change in the noise attributable to the proposed Project would be greater when compared to the existing noise.

The comment does not reference where in the DEIR it is stated that there will be less noise with the Project. Thus, it is assumed that this comment is in reference to **Table 5.12-J – Pre- and Post-Project Noise Levels in (CNEL)** on pages 5.12-39–5.12-40 of the DEIR. This table is

reporting the mitigated operational noise levels. That is, the operational noise generated by the proposed Project with: (i) the construction of an eight foot tall masonry wall on the northern boundary and that portion of the western boundary adjacent to the residential uses (mitigation measure **MM AES 1**); (ii) a restriction on nighttime use for the portion of the loading area and trailer parking located south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation (MM NOI 15)**; (iii) and the installation of a 10-foot tall noise barrier at the top of the slope at 6066 Cannich Road and 6063 Bannock Drive (**MM NOI 16**). Additionally, once completed, the buildings proposed at the Project site will cut down (i.e. block) the amount of noise reaching the residences from the other warehouses and distribution centers in the Sycamore Canyon Business Park. Refer to Response to Comment 41-A for a listing of all of noise mitigation measures that will be implemented by the proposed Project.

Response to Comment 51-B:

This comment does not provide any substantial evidence to support use of a different trip distribution (i.e. the trip directional orientation of Project-generated traffic) than what was used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR and as such, this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, §15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

Nonetheless, as discussed in Response to Comment 14-B, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all three Project driveways that will block left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard,

outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Comment Letter 52 – Pete Staylor

From: Pete [mailto:dadswaycool@aol.com]
Sent: Thursday, December 15, 2016 8:06 AM
To: dadswaycool@aol.com; Brenes, Patricia <PBrenes@riversideca.gov>
Subject: [External] RE: Sycamore Highlands comments

52

Good Morning Patricia, As a follow-up to the email I sent last night _ just in the last hour my cameras caught 2 truck drivers urinating on the street on Cottonwood Ave. Thursdays are typically much lighter traffic wise and even though trucks are not backed up we still see illegal and indecent behavior from truck drivers. Please feel free to call me if you have any questions. Thanks. Pete

52-A

Sent from AOL Mobile Mail

On Wednesday, December 14, 2016 Pete <dadswaycool@aol.com> wrote:

Good Evening Patricia,

I am writing to voice my opposition to the plans to build a mega warehouse/s in the Sycamore Highlands area. Specifically in reference to the 17 parcels of land that is being changed into 2 parcels. Not only is this ill advised due to the proximity to the housing tract, it is also extremely ill advised due to the distribution traffic issues that already exist in the area. Any further additions to the traffic that is already causing gridlock several times a day on Sycamore and on the 60/215 interchange will just bring more traffic issues that already are out of control.

52-B

Let me explain... For the past 30 months I have managed a distribution facility on the corner of Sycamore Canyon Blvd and Cottonwood Avenue. In my experience of managing distribution facilities over the past 30 years I have never seen such an out of control truck traffic problem such as I have seen here on Cottonwood Ave. The Smart & Final facility operates a distribution center just down the street from me at the end of Cottonwood Ave and they have 800 to 1,000 trucks per week come in and out of their facility. Because of the number of trucks trying to get into their facility at one time, the back ups can run down the entire street and cause trucks to sit for 15 minutes to well over an hour at times. All of this waiting time gives cause to the bad behavior I have witnessed over the past 2 years. When drivers have to sit and wait for any length of time, many of them will get out of their vehicles and urinate on the street. I know this sounds crass and as gross as it sounds, I have dozens of videos that my surveillance cameras have captured of this type of behavior. I also have hundreds of pictures showing trucks stopped or parked illegally on Cottonwood Ave, along with pictures showing the back ups that often go the length of the street.

Up until recently the truck back ups on Cottonwood would overflow onto Sycamore Canyon which caused my employees to be late to work multiple times because they had to find another way to access our property. A recent adjustment to their receiving procedures has made a slight difference in the traffic flow, but has not made any difference to driver behaviors in the area. Smart & Final opens up their parking lot sometimes to allow up to 15 trucks enter their property keeping them from backing up on Sycamore. This "horseshoe" maneuver as they call it has not reduced the number of trucks in the area and they still will back up beside my building where the bad behavior is observed almost every day of the week.

Both the City of Riverside Staff and Smart & Final Staff have been made aware of these problems and unfortunately the issues of trucks backing up and very bad behavior on the part of drivers waiting to come into the Smart & Final facility has not changed. I understand that a traffic study was conducted by the Riverside Traffic Department and this study basically stated that there was very little impact to the surrounding business. This study was a shameful example of turning a blind eye to a serious problem so someone does not have to deal with it. My work neighbors and I are witness to the traffic and bad behavior issues each and every day. Furthermore, I recently installed surveillance cameras that show an entirely different picture from the traffic study submitted by Gilbert Hernandez of the

52-C

city traffic department. I welcome you or anyone from the city to come to my facility and view pictures and videos of what happens on a street that has 800 to 1,000 trucks a week pass through it. And, I state for the record; if the city and business that invites the traffic cannot control the behaviors of their drivers who show a total lack of regard for the posted laws and lack any decency regarding urinating in public...how in the world will this kind of behavior be contained once there are another 800 to 1,000 trucks PER DAY in the area?

52-C
cont

I already have issues with drivers looking for parking places to sleep, do paperwork or call for their next assignment, or just wait until their appointment times. I have had to install locking gates and added thousands of dollars worth of lighting as I have tried to keep trucks out of my parking lots all hours of the day and night. Adding more traffic into the area is a BAD, BAD idea as we cannot even control what is already present. Our quality of life stinks already because of the amount of truck traffic we are subjected to. And I can honestly state that if I would have known about the traffic situation here on Sycamore and Cottonwood prior to moving here from Chino over 2 years ago, I would not have made the move.

Again, I invite anyone from the city to spend some time at my facility to witness what happens out here.

Thanks for listening.

Respectfully, Pete Staylor Facility Manager
Standard Textile Inc
Western Distribution Center
6980 Sycamore Canyon Blvd
Riverside, Ca. 92507
cell # (513) 807-7082

Response to Comment Letter 52 – Pete Staylor

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2016, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 52-A:

This comment, which describes video of trucks waiting along Cottonwood Avenue to access existing sites in the Project vicinity, particularly the Smart and Final warehouse, and truck drivers behaving inappropriately, is noted. It is also noted that the City is aware of this situation and working with the operator of the warehouse in question to remedy this situation. Persons observing illegal parking and/or illegal and indecent behavior may call 311 to report the incident. The 311 call will be routed to the Traffic Department and Police Department so that the appropriate response may be coordinated.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment 52-B:

The commenter’s opposition to the proposed Project is noted.

With regard to illegally parked vehicles, refer to Response to Comment 52-A. Cottonwood Avenue is approximately one-half mile south of the Eastridge-Eucalyptus Interstate 15 (I-15) interchange and approximately one mile south of the Project site. (DEIR, **Figure 5.16-1 – Study Area**.) Thus it is not anticipated that trucks accessing the Project site will be using Sycamore Canyon Boulevard between Cottonwood Avenue and Eastridge Drive. (Refer to DEIR **Figure 5.16-5 – Project Trip Distribution (Trucks-Outbound)** and DEIR **Figure 5.16-6 – Project Trip Distribution (Trucks-Inbound)**.) For these reasons the Project is not expected to exacerbate the existing condition at the intersection of Sycamore Canyon Boulevard and Cottonwood Avenue.

Response to Comment 52-C:

The traffic study referenced in this comment is not identified. The statement regarding the traffic study that “This study was a shameful example of turning a blind eye to a serious problem so someone does not have to deal with it” represents an opinion, but does not

provide any explanation, information, or specific examples or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, §15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

To evaluate the impacts of project-related traffic, the *Revised Traffic Impact Analysis, Sycamore Canyon Industrial Buildings 1 & 2* (TIA) was prepared in accordance with the *City of Riverside Traffic Impact Analysis Preparation Guide*, December 2014. The TIA is included as Appendix J of the Draft Environmental Impact Report, Sycamore Canyon Business Park Buildings 1 and 2, SCH No. 2015081042 (hereinafter the DEIR.)

In consultation with City staff and the approved TIA Scoping Agreement (included as Appendix A to the TIA), the TIA evaluated the effect of Project-generated traffic on nine local intersections and six freeway on- and off-ramps under the following scenarios.

- Existing (baseline) plus Project (E+P) (2015);
- Existing plus traffic from 2% ambient growth (ambient) plus Project (E+A+P) (2018) with and without improvements; and
- Existing plus ambient plus Project plus traffic from cumulative development projects (E+A+P+C).

All local intersections will operate at an acceptable LOS with Project-generated traffic under each of the above scenarios. (DEIR, pp. 5.16-29–5.16-30, 5.16-33–5.16-34, 5.16-38–5.16-45, 5.16-56–5.16-57.)

With regard to the freeway on- and off-ramps, because the LOS will be exceeded as a result of ambient growth and cumulative development, i.e., without the Project, the Project’s contribution is considered significant for the following ramps: (DEIR, pp. 5.16-31–5.16-32, 5.16-34–5.16-48, 5.16-56–5.16-57.)

- I-215 Northbound off-ramp at Eastridge-Eucalyptus during the PM peak hour for the Existing plus Ambient Growth plus Project condition.
- I-215 Northbound on-ramp at Fair Isle-Box Springs during the AM and PM Peak hours for the Existing plus Ambient Growth plus Cumulative Development plus Project condition (Cumulative).

To restore satisfactory operations to the freeway ramps, the Riverside County Transportation Commission (RCTC) I-215 North Project and one mainline mixed flow lane for northbound I-

215 at Fair Isle Drive-Box Springs Drive on-ramp are required to be completed. However, because the freeway facilities are under the jurisdiction of Caltrans and no mechanism to contribute fair share toward a required improvement is currently available, Project impacts are considered significant and unavoidable until improvements are funded or constructed with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, pp. 5.16-56-5.16-57.)

Because uses similar to the proposed Project have resulted in trucks queuing on public streets, the TIA and DEIR include a queuing analysis. The Project proposes 24-hours a day, seven-days a week operations (24/7). This means trucks arriving at the Project site would be able to enter and not have to wait for the operator to open the gates. If the Project was not a 24/7 operation, the potential for truck queuing on public streets is the highest in the morning when it is expected that multiple trucks arrive at the Project site prior to the gates opening. The queuing capacity for Building 1 is approximately 32 to 35 trailer trucks, which is greater than the anticipated number of trucks expected to arrive at Building 1 during AM Peak Hours. Therefore, the queuing capacity of Building 1 will not be exceeded as shown in the DEIR on **Figures 5.16-10 – Site Queuing Analysis with 53’ Trailer Trucks** and **5.16-11 – Site Queuing Analysis with 48’ Trailer Trucks**. Although it is possible that during the AM Peak Hours the queuing capacity for Building 2 will be exceeded by three to four trailer trucks, there is designated commercial vehicle parking on portions of Box Springs Boulevard in proximity to the Project site that may be used. (DEIR, p. 5.16-49.)

The second full paragraph on page 5.16-49 of the DEIR incorrectly described commercial vehicle parking on Sycamore Canyon Boulevard. This paragraph will be revised in the FEIR as follows:

“The queuing capacity for Building 2 is approximately five to six trailer trucks, which is less than the anticipated number of trucks expected to arrive at Building 2 during AM Peak Hours (9 trailer trucks). Although it is possible that during the AM Peak Hours the queuing capacity for Building 2 will be exceeded by three to four trailer trucks, this should not result in trucks queuing or parking on the residential streets in proximity to the Project site because there is designated commercial vehicle parking on ~~Sycamore Canyon Boulevard and~~ portions of Box Springs Boulevard. Per Riverside Municipal Code 10.52.155(a), it is unlawful to park commercial vehicles (with a gross vehicle weight of 10,000 pounds or more) and all commercial trailers or semi-trailers on any public street, highway, road or alley within the City except in specific locations designated by the City Traffic Engineer and identified by signs indicating commercial vehicle parking is allowed. There are only five ~~six~~ streets in the City where commercial vehicle, commercial trailers, and semi-trailers may be parked: Atlanta Avenue, Box Springs Boulevard, Marlborough Avenue, Northgate Street, and Palmyrita Avenue, ~~and Sycamore Canyon Boulevard~~. Parking on Lance Drive and Sierra Ridge Drive is not permitted.” (DEIR, p. 5.16-49.)

Per Riverside Municipal Code 10.52.155(a), it is unlawful to park commercial vehicles (with a gross vehicle weight of 10,000 pounds or more) and all commercial trailers or semi-trailers on any public street, highway, road or alley within the City except in specific locations designated by the City Traffic Engineer and identified by signs indicating commercial vehicle parking is allowed. Persons who notice trucks where restrictions are in place can call 311 and will be routed to both the Traffic Department and the Police Department so that these agencies can coordinate the appropriate response. People are encouraged to call 311 because it is a centralized system that ensures that staff can be efficiently dispatched to mitigate the situation without creating duplication among City staff responses.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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Comment Letter 53 – South Coast Air Quality Management District

53



South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:
twhite@riversideca.gov

December 23, 2016

53-A

Mr. Ted White, City Planner
City of Riverside - Community and Economic Development
3900 Main Street,
Riverside, CA 92522

Draft Health Risk Assessment (HRA) for the DEIR for the Proposed Sycamore Canyon Business Park Buildings 1 and 2 Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the draft HRA, which was prepared in response to SCAQMD staff comments (dated October 5, 2016¹). SCAQMD staff reviewed the draft HRA and have concerns that the assumptions used in the analysis have resulted in an under-estimation of the estimated health risks. The following comments are meant as guidance on the HRA for the lead agency and the SCAQMD staff recommends incorporating these comments into the revised HRA and in the Final EIR.

The SCAQMD staff is concerned that the draft HRA has underestimated the cancer risk from the proposed project. These comments on the draft HRA were discussed with City of Riverside planning staff and the CEQA and HRA consultants to the City in a meeting with SCAQMD staff on December 22, 2016. In the draft HRA, the lead agency used the AERMOD dispersion model to estimate diesel particulate matter (DPM) concentrations from the diesel vehicles generated by the proposed project and used the 2015 revised OEHHA guidelines to estimate the health risks to both residents and workers in the project vicinity. The 2015 revised OEHHA guidelines have been incorporated into SCAQMD health risk assessment procedures for Rules 1401, 1401.1, and 212² and are used by SCAQMD for projects where SCAQMD is the CEQA lead agency. SCAQMD staff recommends the lead agency revise the draft HRA based on the following comments:

1. In the draft HRA, the lead agency used the mean breathing rates to calculate a weighted average breathing rate. Consistent with SCAQMD's Risk Assessment Procedures³, SCAQMD staff recommends the lead agency use the 95th percentile breathing rates and the other parameters such as fraction of time at home, exposure frequency, and age specific factor, which can be found on Table 9.1 of SCAQMD Risk Assessment Procedures, Attachment M⁴.
2. In the draft HRA, the lead agency averaged the DPM emissions from trucks for the 30-years of exposure and used that emission rate to estimate the health risks. This is not an appropriate methodology to estimate emissions using the 2015 revised OEHHA guidelines. The 2015 revised OEHHA guidelines acknowledge that children are more susceptible to the exposure to air toxics and have revised the way cancer risks are estimated to take this into account. Since the emissions from the project generated trucks get cleaner with time due to existing regulations, it would not be

¹ Available online at <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/october/deirsycamore.pdf>

² Risk Assessment Procedures can be found online at <http://www.aqmd.gov/home/permits/risk-assessment>

³ Available online at <http://www.aqmd.gov/docs/default-source/planning/risk-assessment/riskassprocjune15.pdf>

⁴ Available online at <http://www.aqmd.gov/docs/default-source/permitting/attachment-m.pdf>

Ted White

Page 2

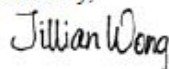
December 23, 2016

appropriate to average out the emissions over the 30-year exposure duration since this would underestimate the health risks to children who would be exposed to higher DPM concentrations during the early years of project operation. Therefore, SCAQMD staff recommends that the DPM emissions for each year of operation be applied to each of the corresponding age bins (i.e. emissions from Year 1 of project operation should be used to estimate cancer risks to the third trimester to 0 year age bin; Year 1 and 2 of project operation should be used to estimate the cancer risks to the 0 to 2 years age bins; and so on).

3. In the draft HRA, the lead agency only included 5 minutes of idling for each truck at the loading docks. However, SCAQMD staff recommends 15 minutes of idling be included in the HRA. This was included as Comment #5 on our previous comment letter⁵ (dated October 5, 2016). The draft HRA should be revised to include 15 minutes of idling.
4. In the draft HRA, the lead agency used discrete receptors placed at the residential structures to estimate the cancer risks. SCAQMD staff recommends that the lead agency revise the HRA using a receptor grid of no more than 100-meter spacing over the existing residences and areas zoned or planned for residential development. Furthermore, receptor locations should be placed at the boundaries of the residential property and not the residential structure. Placing receptors on the residential structure underestimates cancer risks to the residents. At the December 22nd meeting, it was agreed that since the residential properties directly adjacent to the proposed project were of a higher elevation, the sloped area within the property boundary would not be representative of residential risk since the residents would not have access to that area. Therefore, for the proposed project, it would be appropriate to place the receptors and receptor grid along the physical fence line of the residential properties closest to the proposed project (i.e. to include the backyard areas).
5. SCAQMD staff recommends following the U.S. EPA's haul road methodology when modeling the on-site and off-site truck movement.

Based on the December 22nd meeting, the City's HRA consultant noted that they will be revising the HRA to incorporate all the recommendations detailed here. If the health risks in the revised HRA exceed the SCAQMD's CEQA significance thresholds, the increase in health risk can be reduced by accelerating the introduction of cleaner trucks through a project requirement that all heavy duty trucks generated by the project will be required to meet or exceed the U.S. EPA's 2010 heavy duty engine emission standards or be powered by natural gas, electricity, or other diesel alternative. SCAQMD staff looks forward to reviewing the revised HRA and continuing to work with the City's planning staff. Please contact me at (909) 396-3176, if you have any questions regarding these comments.

Sincerely,



Jillian Wong, Ph.D.
Planning and Rules Manager
Planning, Rule Development & Area Sources

SN:JW
RVC160811-02
Control Number

⁵ Available online at <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/october/deirsycamore.pdf>

53-A
cont.

Response to Comment Letter 53 – South Coast Air Quality Management District

Response to Comment 53-A:

The City appreciates the South Coast Air Quality Management District (SCAQMD) continued comments and guidance on the DEIR and Health Risk Assessment (HRA). Pursuant to this Comment letter, the Project agreed to accelerate the introduction of cleaner trucks by requiring that all medium and heavy duty trucks visiting the site to meet or exceed 2010 engine emissions standards or be powered by natural gas, electricity or other diesel alternative. The City instructed the HRA Consultant to conduct additional modeling consistent with the SCAQMD guidance and comments and to include the use of the 2010 engine emissions at opening year (New Modeling). A Technical Memorandum responding to SCAQMD's comments and including the revised EMFAC runs, emissions calculations, and risk calculation worksheets and the New Modeling results were submitted to the SCAQMD by the City on January 9, 2017 and are included as Attachment A.2 to the Final EIR.

The results of the New Modeling performed in accordance with SCAQMD recommendations indicate that the maximum lifetime risk estimate (30 year exposure) to any residential use in the vicinity of the Project is 4.87 in one million. (FEIR, Attachment A.2.) This does not exceed the SCAQMD's threshold of 10 in one million and is less than the risk of 5.3 in one million reported on page 5.3-34 of the DEIR.

The New Modeling does not change the findings of the DEIR and does not constitute significant new information that would require recirculation of the DEIR. (CEQA Guidelines, § 15088.5.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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Comment Letter 54 – RK Engineering Group, Inc.

54



traffic engineering • transportation planning
acoustical engineering • parking studies
air quality & greenhouse gas analysis

December 29, 2016

Ms. Hannah Bentley
BLUM COLLINS LLP
707 Wilshire Boulevard, 48th Floor
Los Angeles, CA 90017

RECEIVED

JAN 09 2017

Community & Economic
Development Department

Subject: Sycamore Canyon Industrial Buildings 1 & 2 Traffic Impact Analysis and DEIR Review, City of Riverside

Dear Ms. Bentley:

Introduction

RK ENGINEERING GROUP, INC. (RK) has reviewed the Sycamore Canyon Industrial Buildings 1 & 2 Project Transportation Analysis report and Draft EIR prepared by Albert A. Webb Associates, dated May 2016. The purpose of this review was to identify any particular traffic transportation issues related to the development of the Sycamore Canyon Industrial Buildings 1 & 2 Project.

54-A

The project is proposed to consist of approximately 1,012,995 square feet of high-cube warehouse in "Building 1" and approximately 362,174 square feet of high-cube warehouse in "Building 2" on 72 acres. The project is located at the northwest corner of Lance Drive and Sierra Ridge Drive in the City of Riverside. Access would be provided at three (3) primary driveways located along Lance Drive. The two (2) northerly driveways are in very close proximity to Dan Kipper.

The traffic study procedures appear to be consistent with the City of Riverside Traffic Impact Analysis Preparation Guide dated January 2016. It should be noted that a "Scoping Agreement for Traffic Impact Study" was not provided as part of this review. However, the major issue with the analysis was that it did not utilize Dan Kipper as a major access route to/from the project or have full access at the intersection with Sycamore Canyon Boulevard. This intersection currently has full access and should be considered in both the Level of Service and Traffic Signal Warrant Analysis.

54-B

The traffic study analyzed a total of nine (9) study area intersections and six (6) roadway segments. The intersection of Dan Kipper at Sycamore Canyon Boulevard was analyzed without full access which currently exists. The study evaluated the following study scenarios:

1. Existing Plus Project Conditions (Year 2015)
2. Existing Plus Ambient Growth Plus Project Conditions (Year 2018)

4000 westerly place, suite 280
newport beach, california 92660
tel 949.474.0809 fax 949.474.0902
www.rkengineer.com

3. Existing Plus Ambient Growth Plus Project w/ Improvements (Year 2018)
4. Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (Year 2018)
5. Existing Plus Ambient Growth Plus Cumulative Plus Project w/ Improvements (Year 2018)

54-B
cont.

It should be noted that the traffic impact study analyzed a project consisting of 420,604 square feet for Building 2. However, the latest proposed site plan consists of 362,174 square feet for Building 2. As a result, the traffic impact study calculated a larger project when compared to the latest site plan.

54-C

Due to the fact that the proposed project is designated as a high-cube warehouse, the City traffic guidelines require additional analysis for "truck intensive" uses. As a result, the trip generation for the project utilized the required ITE 9th Edition Trip Generation Manual and the 2003 City of Fontana Truck Trip Generation Study. The TIS applied the appropriate PCE (passenger car equivalent) factor to the vehicle trip generation.

While the traffic study provided a comprehensive review of existing and future conditions without and with the project, several significant issues remain with respect to traffic impacts from the project.

54-D

Comments

1. The project's outbound trip distribution does not add any traffic to Dan Kipper Drive. Also, there is no project northbound left turn trip distribution to the intersection of Sycamore Canyon Boulevard at Dan Kipper. This is very unrealistic, since these movements are currently available. A large percentage of trucks and passenger cars will likely utilize Dan Kipper Drive to access the surrounding roadway system from the project. The intersection of Dan Kipper at Sycamore Canyon Boulevard currently provides for all turning movements. Dan Kipper Drive may require mitigation measures (i.e. traffic signal, striping, etc.) if the outbound and inbound project trip distribution is more realistically analyzed. As a result, the traffic study grossly underestimates the amount of traffic on Dan Kipper Drive at Sycamore Canyon Boulevard. The TIS should provide a realistic and logical trip distribution percentage to Dan Kipper Drive in order to fully calculate the traffic impacts from the project.
2. The project's inbound trip distribution underestimates the amount of traffic to Dan Kipper Drive. The TIS calculates 20% passenger cars and 5% of trucks utilizing Dan Kipper Drive to access the project. This calculation is unrealistic. Dan Kipper Drive provides direct access to the projects two northerly driveways. As a result, a larger percentage of vehicles will utilize Dan Kipper Drive. The TIS should provide a realistic and logical inbound trip distribution percentage to Dan Kipper Drive in order to fully calculate the traffic impacts for the project.

54-E

3. Page 2-3 of the TIS states that utilizing Dan Kipper Drive for egress "would not be advantageous for the project and for the City" due to "future nearby development area, the existing and future geometry of the intersection and nearby intersections." The TIS also claims that "no vehicle type restrictions are proposed for the project driveways on Lance Drive and all project driveways are expected to be utilized by both passenger cars and trucks." How will the project prohibit vehicles from utilizing Dan Kipper Drive, since this is the shortest path to Sycamore Canyon Boulevard for much of the project's traffic?

54-F

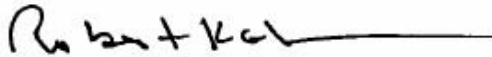
Conclusions

RK has reviewed the Sycamore Canyon Industrial Buildings 1 & 2 Project Transportation Analysis report. Based upon this review, RK has identified several significant items that need further evaluation prior to the review of the project. An adequate vehicle inbound and outbound trip distribution onto Dan Kipper Drive is essential for accurately calculating the potential traffic impacts for the project.

RK appreciates this opportunity to review the Sycamore Canyon Industrial Buildings 1 & 2 Project. If you have any questions regarding this study, please call me at (949) 474-0809.

54-G

Sincerely,
RK ENGINEERING GROUP, INC.



Robert Kahn, P.E.
Principal

Registered Civil Engineer 20285
Registered Traffic Engineer 0555



Rogier Goedecke
President

Response to Comment Letter 54 – RK Engineering Group, Inc.

Response to Comment 54-A:

The commenter's description of the proposed Project is correct. Building 1 will have two driveways along Lance Driveway and Building 2 will have one driveway along Lance Drive. Building 1 and Building 2 will have full ingress and partial right-out only egress at each of the individual project driveways. (DEIR, p. 5.16-26.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report (DEIR).

Response to Comment 54-B:

The Scoping Agreement for Traffic Impact Study was provided as Appendix A to the *Revised Traffic Impact Analysis for Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) prepared in May 2016 by Albert A. Webb Associates and included as Appendix J to the DEIR.

As stated in Response to Comment 54-A, the Project will limit egress from the site to right-turns only thus directing traffic exiting the site to the south and away from Dan Kipper Drive. After preliminary analysis of the possibility of using Dan Kipper Drive as a point of egress for passenger cars and/or trucks, it was determined based on future nearby development of the area, the existing and future geometry of the intersection of Sycamore Canyon Boulevard and Dan Kipper Drive, that it would not be advantageous for the City to allow trucks and vehicles exiting the Project egress onto Dan Kipper Drive. Therefore, based on the project design features to limit egress traffic to only right turns, the traffic analysis assumes trip distribution of vehicles as shown in DEIR **Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **Figure 5.16-5 – Project Trip Distribution (Trucks – Outbound)**. (DEIR, p. 5.16-10.)

The Project will limit passenger car and truck egress onto Dan Kipper Drive by posting signs at all Project driveways that indicate only right turns onto Lance Drive are permitted. In addition to signage, small barriers will be placed at all three driveways which will aid in limiting left-out turns onto Lance Drive. (DEIR, p. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **Figure 5.16-5 – Project Trip Distribution (Trucks – Outbound)**). Approximately 20% of inbound passenger car trips to the Project site and 5% of inbound truck trips will turn right from Sycamore Canyon Boulevard onto Dan Kipper Drive (see **Figure 5.16-6 – Project Trip Distribution (Trucks – Inbound)** and **Figure 5.16-4 – Project Trip Distribution (Passenger Cars – Inbound)**).

This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

Response to Comment 54-C:

The commenter correctly summarizes the methodologies used to prepare the TIA for the proposed Project. Because the TIA analyzed a larger building footprint than the currently proposed Project, actual Project impacts will be less than what is anticipated in the study. This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

Response to Comment 54-D:

As discussed in Response to Comment 54-B and Response to Comment 54-C, the Project will be designed and conditioned to prohibit outbound traffic from using Dan Kipper Drive. According to the trip distribution models developed for the Project's TIA, approximately 20% of inbound passenger car trips to the Project site and 5% of inbound truck trips will utilize Dan Kipper Drive to access the site (see **Figure 5.16-6 – Project Trip Distribution (Trucks – Inbound)** and **Figure 5.16-4 – Project Trip Distribution (Passenger Cars – Inbound)**). The analyzed trip distributions were approved by City staff and do not underestimate the amount of Project traffic on Dan Kipper Drive.

Because Project egress onto Dan Kipper Drive will be restricted and because relatively small percentages of inbound truck and passenger car trips to the site are anticipated to use Dan Kipper Drive, traffic impacts from the Project to this roadway have been fully quantified and disclosed. This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

Response to Comment 54-E:

The Traffic Impact Analysis (TIA) determined the directional orientation of traffic by evaluating existing and proposed land uses, existing roadway system, and existing traffic patterns within the vicinity of the Project site. The directional distribution for the proposed Project traffic analyzed passenger cars and trucks separately as shown on DEIR **Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, **Figure 5.16-4 – Project Trip Distribution (Passenger Cars – Inbound)**, **Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**, and **Figure 5.16-6 Project Trip Distribution (Trucks – Inbound)**. (DEIR, p. 5.16-10.)

According to the trip distribution models developed for the Project's TIA, approximately 20% of inbound passenger car trips to the Project site and 5% of inbound truck trips are anticipated to utilize Dan Kipper Drive to access the site (see **Figure 5.16-6 – Project Trip Distribution (Trucks – Inbound)** and **Figure 5.16-4 – Project Trip Distribution (Passenger Cars – Inbound)**). This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

Response to Comment 54-F:

As discussed in Response to Comment 54-B, the Project will limit passenger car and truck egress onto Dan Kipper Drive by posting signs at all Project driveways that indicate only right turns onto Lance Drive are permitted. In addition to signage, small barriers will be placed at all three driveways which will aid in limiting left-out turns onto Lance Drive. (DEIR, p. 5.16-26.)

This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **Figure 5.16-5 – Project Trip Distribution (Trucks – Outbound)**). The City has conditioned the Project to deploy coordinated traffic signal timing improvements to encourage traffic flow to and from the Eastridge - Eucalyptus Interstate 215 interchange.

There will be no restrictions on trucks or passenger cars using Dan Kipper Drive to access the Project site. This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

Response to Comment 54-G:

This comment does not provide any substantial evidence to support use of a different trip distribution than what was used in the TIA and the DEIR and as such, this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, §15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

The City appreciates RK Engineer’s review of the DEIR. This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

Comment Letter 55 – NAIOP



55

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- Robert Evans, Executive Director
- Deven Sull, Executive Assistant

December 15, 2016

Planning Commission
City of Riverside
3900 Main St.
Riverside, CA 92501

Dear Chairman Parker and Planning Commission Members,

I respectfully request your approval of Sycamore Canyon's Industrial Park Buildings 1 and 2.

NAIOP, the Commercial Real Estate Development Association, is the leading organization for developers, owners and investors of office, industrial, retail and mixed-use real estate. With over 15,000 members, NAIOP is the expert in market demand, business and economic opportunities for nonresidential development.

Industrial development would benefit future business opportunities, boosting economic growth for the City of Riverside. The Specific Plan for Sycamore Canyon industrial park was approved decades ago in 1984. This project is the final piece of the 35 million square feet industrial business park.

The City has Good Neighbor Guidelines to properly plan and design industrial facilities between land uses. This project meets the recommendations in the City's Good Neighbor Guidelines, while still promoting jobs and City revenue.

Our request for approval of this project comes from more than 40 years of commercial real estate development experience, as well as partnerships with municipalities around the country. We have assisted countless cities in developing efficient, sustainable and productive real estate projects that provide pride and benefits to residents and members of the community for years to come.

Thank you for your consideration.

Robert Evans
Executive Director
Inland Empire Chapter

55-A

Response to Comment Letter 55 – NAIOP

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

Response to Comment 55-A:

The City appreciates the time NAIOP took to share its thoughts on the Project. This comment discusses the benefits the Project would bring to the City and does not raise or identify any environmental issues or impacts. The comment is noted by the City.

Comment Letter 56 – South Coast Air Quality Management District

Note: This email from the South Coast Air Quality Management District (SCAQMD) is in response to their review of the New Modeling, which was prepared in response to SCAQMD Comment Letter 53.

56

From: Jillian Wong <jwong1@aqmd.gov>
Sent: Wednesday, January 18, 2017 5:53 PM
To: White, Ted; Patricia Brenes
Cc: Mark Ostoich; Cheryl DeGano; Jack Cheng; Susan Nakamura; Jill Whynot
Subject: RE: [External] RE: Sycamore Canyon Project - Response to Comment and Modeling Files

Hi Ted,

SCAQMD staff has reviewed the Revised HRA and we have no further comments on the analysis.

Thanks,
Jillian Wong, Ph.D.
Planning & Rules Manager
South Coast AQMD
21865 Copley Drive,
Diamond Bar, CA 91765
Direct: 909-396-3176
Fax: 909-396-3640

Note: the entire email chain is comment 56-A

From: White, Ted [<mailto:TWhite@riversideca.gov>]
Sent: Thursday, January 12, 2017 6:04 PM
To: Brenes, Patricia <PBrenes@riversideca.gov>; Jillian Wong <jwong1@aqmd.gov>
Cc: Mark Ostoich <Mark.Ostoich@greshamsavage.com>; Cheryl DeGano <cheryl.degano@webbassociates.com>; Jack Cheng <jcheng@aqmd.gov>
Subject: RE: [External] RE: Sycamore Canyon Project - Response to Comment and Modeling Files

Hi Jillian,

Happy new year! Would you mind providing us with a timeframe for your review and comment? We have an internal deadline to have the Final EIR complete by Friday, January 20th (next Friday). In order to get the FEIR complete, we need time to plug your response into our Responses to Comments document, staff report etc. We are hopeful that you would be able to provide any further comments (or that there are no further comments) to us by end of day, Wednesday, January 18th. If this isn't feasible, it would be helpful to know sooner than later.

Thanks in advance.

Ted White, AICP
City Planner | City of Riverside
Community & Economic Development Department
tel: 951.826-5108
twhite@riversideca.gov

From: Brenes, Patricia
Sent: Wednesday, January 11, 2017 2:19 PM
To: Jillian Wong

Cc: White, Ted; Mark Ostoich; Cheryl DeGano; Jack Cheng
Subject: RE: [External] RE: Sycamore Canyon Project - Response to Comment and Modeling Files

Jillian - We appreciate your responsiveness and look forward to your response.

Thanks again,

Patricia Brenes
Principal Planner
Community & Economic Development Department
Planning Division
3900 Main Street, Third Floor
Riverside, CA 92522
Tel: 951-826-2307
pbrenes@riversideca.gov

56-A cont.

From: Jillian Wong [<mailto:jwong1@aqmd.gov>]
Sent: Wednesday, January 11, 2017 12:21 PM
To: Brenes, Patricia <PBrenes@riversideca.gov>
Cc: White, Ted <TWhite@riversideca.gov>; Mark Ostoich <Mark.Ostoich@greshamsavage.com>; Cheryl DeGano <cheryl.degano@webbassociates.com>; Jack Cheng <jcheng@aqmd.gov>
Subject: [External] RE: Sycamore Canyon Project - Response to Comment and Modeling Files

Thanks Patricia. We will review the revised HRA and get to you with any comments we might have.

Jillian Wong, Ph.D.
Planning & Rules Manager
South Coast AQMD
21865 Copley Drive,
Diamond Bar, CA 91765
Direct: 909-396-3176
Fax: 909-396-3640

From: Brenes, Patricia [<mailto:PBrenes@riversideca.gov>]
Sent: Monday, January 9, 2017 5:45 PM
To: Jillian Wong <jwong1@aqmd.gov>
Cc: White, Ted <TWhite@riversideca.gov>; Mark Ostoich <Mark.Ostoich@greshamsavage.com>; Cheryl DeGano <cheryl.degano@webbassociates.com>
Subject: Sycamore Canyon Project - Response to Comment and Modeling Files

Hi Jillian – Attached for your review and approval is the response to comments and below is the link to the updated modeling as requested at our last meeting. Please feel free to contact me if you need additional information to conduct your review. Following is the link:

<https://www.dropbox.com/s/x0zalo7065j7w2u/New%20Modeling%20HRA%20File%20for%20SCAQMD%20SCBP.zip?dl=0>

Thank you,

Patricia Brenes

Principal Planner
Community & Economic Development Department
Planning Division
3900 Main Street, Third Floor
Riverside, CA 92522
Tel: 951-826-2307
pbrenes@riversideca.gov

56-A



Click [here](#) to report this email as spam.

Response to Comment Letter 56 – SCAQMD

Response to Comment 56-A:

The City appreciates SCAQMD staff working with City staff on the Project's Health Risk Assessment (HRA) and thanks SCAQMD for their quick review. The City notes that SCAQMD has no further comments on the Revised HRA, including the updated modeling (submitted on January 9, 2017) referred to as the New Modeling and included in the FEIR as Attachment A.2.